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LELAND•STANFORD•JUNIOR•UNIVERSITY





Arizona's First Gubernatorial Mansion.



HISTORY
OF
ARIZONA

BY
THOMAS EDWIN FARISH,
ARIZONA HISTORIAN

THE STANDARD EDITION

VOLUME III

PHOENIX, ARIZONA
1916

F&L

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BY
THOMAS EDWIN FARISH,
ARIZONA HISTORIAN

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PREFACE TO VOLUMES III AND IV.

The law creating this office requires the Historian to "faithfully and diligently collect data of the events which mark the progress of Arizona from its earliest day to the present time, to the end that an accurate record may be preserved of those thrilling and heroic occurrences; that knowledge of the achievements of Arizona's trail blazers may not perish with the passing of her pioneers, but may be preserved and disseminated for the benefit of the present and future generations; that the names of those whose lives were and are identified with the establishment, the progress and the development of Arizona may be given just and lasting recognition," and to publish them in book form.

In an endeavor to comply strictly with the letter of the law quoted above, I have gathered all authentic data obtainable, official and otherwise, relating to Arizona, and am embodying it in this History, giving due credit to those pioneers who have taken a prominent part as State Builders in Arizona. Much of this evidence is taken from the lips of pioneers and from records left by them, which is not always absolutely correct. In Volume I, quoting from what purported to be an autobiography of the Oatman girls, and which I thought correct at the time, I said that Olive Oatman died in an insane asylum in New York, but I am informed by the Hon. Ben Goodrich, who knew her personally, that she went from California to Texas, and there married a Major Fairchild. This is confirmed by Judge Wells of Prescott. This discrepancy, which I now gladly correct, only shows the difficulties attending my task as Historian.

THOS. EDWIN FARISH.

Phoenix, Arizona, October sixteenth, nineteen hundred sixteen.



LIST OF ILLUSTRATIONS.

GUBERNATORIAL MANSION	Frontispiece
R. W. GROOM.....	Facing Page 4
JONATHAN RICHMOND	Facing Page 48
PROCLAMATION ORGANIZING TERRITORY.....	Facing Page 70
COLES BASHFORD	Facing Page 90
SEALS OF TERRITORY.....	Facing Page 138
W. T. HOWELL.....	Facing Page 148
JOHN N. GOODWIN.....	Facing Page 187
JOSEPH EHLE	Facing Page 207
OLD FORT MISERY.....	Facing Page 212
KING S. WOOLSEY.....	Facing Page 258
MIKE BURNS	Facing Page 288



CONTENTS.

VOLUME III.

CHAPTER I.

EARLY OPINIONS OF ARIZONA.

	PAGE
Opinions of Officials, Civil and Military—Precious Metals in Arizona—Military Prospecting Expeditions—General Carleton's Correspondence	1

CHAPTER II.

PRECIOUS METALS IN ARIZONA.

Report of Military Prospecting Expedition—A. F. Banta's Story —Selection of Site for Military Post—Walker and Other Expeditions—Pauline Weaver—Early Times Around Prescott—Establishment of Fort Whipple—Fred Hughes' Story.	25
------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----

CHAPTER III.

TRAVELS OF GOVERNOR GOODWIN'S PARTY.

Letters of Jonathan Richmond, One of the Party—Organization of Territory—Arrival at Fort Whipple—Formal Proceedings	47
---------------------------------------------------------------------------------------------------------------------	----

CHAPTER IV.

EARLY TERRITORIAL DAYS.

Governor Goodwin's Swing Around the Circle—Proclamation Organizing Tucson as a Municipality—Proclamation Setting Time for Election of Delegate to Congress and Members of First Territorial Legislature—Organic Act—Result of First Vote for Delegate to Congress—Charles D. Poston—Charles Leib—William D. Bradshaw—S. Adams—Wm. J. Berry—List of Members of First Legislature—Coles Bashford—W. Claude Jones—Formation of Counties—Schools...	71
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----

CHAPTER V.

THE FIRST TERRITORIAL LEGISLATURE.

Convening of the Legislature—Officers and Attachés—Governor Goodwin's Message	94
-------------------------------------------------------------------------------------	----

CHAPTER VI.

THE FIRST TERRITORIAL LEGISLATURE (Continued).

Howell Code—Fight Over Location of Capital—Report on Navigability of Colorado River—Resolutions Instructing Dele-	
-------------------------------------------------------------------------------------------------------------------	--

	PAGE
gate Poston to Secure from Congress Arms and Mail Routes for Arizona—Appropriations for Schools—Only Measure Vetoed by Governor Goodwin—Governor Goodwin's Farewell Message to the Legislature—Farewell Speech of W. Claude Jones, Speaker—Résumé of Acts Passed—Seal of Territory —Appropriation Bill—Memorials to Congress.....	117

CHAPTER VII.

FEDERAL GOVERNMENT'S TREATMENT OF ARIZONA.

Congress Disregards Appeals of Arizona for Aid—Sylvester Mowry's Protest Against Government Taking Over Mines— Judge Howell's Letters—Navigation of Colorado River— Activities of Delegate Chas. D. Poston in Congress—His Speech in Congress	144
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----

CHAPTER VIII.

EARLY DAYS OF PRESCOTT.

Governor Goodwin—His Broad and Liberal Policies—Prescott Selected as Capital—Selection of Town Site and Sale of Lots —First House—Bear Pen—First Hotel and Restaurant— First Store—First Court—First Legislature—First Day School—First Public Building: “Gubernatorial Mansion”— Description of Arizona by J. Ross Browne—Joseph Ehle, Pioneer—Lount Party—Early Settlers—First Boarding- house—Description of Prescott by General Rusling.....	187
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----

CHAPTER IX.

CONDITIONS IN ARIZONA IN 1863 AND 1864.

Result of Withdrawal of Troops—Further Letters of Jonathan Richmond—Prospecting—Lack of Water Impedes Mining— High Price of Provisions—Assignment of Judicial Districts —Methods of Exploiting Prospects—Expense of Same— Organization of Courts—First Term of Court of Yavapai County—First Session of Supreme Court of Territory—Su- preme Court Reports, Irregular Publication of—Early Law- yers of Territory—Commencement of Territorial and State Library	217
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----

CHAPTER X.

POPULATION—EARLY SETTLEMENT—INDIAN TROUBLES.

Population 1863-64 — Yuma — Calville — Hardyville — Indian Troubles—King Woolsey's First Expedition Against In- dians—His Official Report.....	251
------------------------------------------------------------------------------------------------------------------------------------------------------	-----

CONTENTS.

ix

CHAPTER XI.

INDIAN TROUBLES.

	PAGE
King Woolsey's Second Expedition—Report of by Augustus Brichta—Resolutions by First Legislature Commending King Woolsey and Companions—King Woolsey's Opinion of the Military—Account of Fight by William Fourr—Official Reports of Fights With Indians—Remarks of Ben C. Cutler, Assistant Adjutant-General	273

CHAPTER XII.

INDIAN TROUBLES (Continued).

The Indians' Side of the Question—Stories by Mike Burns, Mohave-Apache—His Capture by U. S. Troops—Indian Method of Catching Animals for Food—First White Men Seen by Indians—Ill-treatment by Soldiers and Navajo Indians—Killing of Commissioner of Indian Affairs Leihy—Massacre in Skull Valley—Massacre of Yavapais.....	288
--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------

CHAPTER XIII.

INDIAN TROUBLES (Continued).

Mike Burns' Story of "The Pinole Treaty"—Pimas and Maricopas Deceive the Whites—Give Apaches Bad Name—Apache Bow and Arrow Making—Fight With Soldiers Between Florence and McDowell—Indian Opinion of Soldiers as Fighters	304
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------

CHAPTER XIV.

INDIAN TROUBLES (Continued).

Mike Burns' Story of How the Indians Stole the Soldiers' Horses—Fight With New Mexican Volunteers—Killing of Mike Burns' Mother—Breaking Up of Cibicu Apaches—Mike Burns' First Scout—Yavapais and Navajos at War—Coming of the White Men Disguised as Indians—Commit Outrages—Breaking Up of Camp—Funeral Customs—Widows and Widowers—Dela-cha's Fight With Pimas and Maricopas—Attack on Soldiers	326
------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------



HISTORY OF ARIZONA.
VOLUME III.



HISTORY OF ARIZONA.

CHAPTER I.

EARLY OPINIONS OF ARIZONA.

OPINIONS OF OFFICIALS, CIVIL AND MILITARY— PRECIOUS METALS IN ARIZONA—MILITARY PROSPECTING EXPEDITIONS—GENERAL CARLETON'S CORRESPONDENCE.

That the great wealth, or latent wealth, of Arizona and New Mexico was unappreciated for fifty years is susceptible of ample proof. Col. James Collier, Collector of the Port at San Francisco, who reached that place in November, 1849, upon his arrival there, having traversed what was then New Mexico, declared that he would not accept the entire Gila Valley as a gift. Genl. W. T. Sherman, who as a lieutenant accompanied Kearny's Expedition to California, it is claimed made the statement that we had had one war with Mexico to take Arizona, and we should have another to compel her to receive it back again. Col. Sumner, who was in command of the Military Department of New Mexico, in one of his official reports to the War Department, after calling attention to the fact that the holding of New Mexico, which then included what is now Arizona, was costing the government four millions of dollars a year, advised that the government buy out all the holders of property in that territory, remove them elsewhere, and then turn the entire country over to the Indians.

J. Ross Browne and James W. Taylor, Special Commissioners of the Government for the investigation of the mineral resources of the United States, in their report to the Secretary of the Treasury, under date of November 24, 1866, in reference to gold in California and Arizona, said:

"The first mention of gold in California is made in Hakluyt's account of the voyage of Sir Francis Drake, who spent five weeks in June and July, 1579, in a bay near latitude 38° ; whether Drake's Bay or San Francisco Bay is a matter of dispute. It certainly was one of the two, and of neither can we now say with truth, as Hakluyt said seriously, 'There is no part of the earth here to be taken up wherein there is not a reasonable quantity of gold or silver.' This statement, taken literally, is untrue, and it was probably made without any foundation, merely for the purpose of embellishing the story and magnifying the importance of Drake and of the country which he claimed to have added to the possessions of the English crown.

"If any 'reasonable quantity' of gold or silver had been obtained by the English adventurers, we should probably have had some account of their expeditions into the interior, of the manner and place in which the precious metals were obtained, and of the specimens which were brought home, but of these things there is no mention.

"Neither gold nor silver exists 'in reasonable quantity' near the ocean about latitude 38° , and the inference is that Drake's discovery of gold in California was a matter of fiction more than that of fact.

"Some small deposits of placer gold were found by Mexicans near the Colorado River at various times from 1775 to 1828, and in the latter year a similar discovery was made at San Isidro, in what is now San Diego County, and in 1802 a mineral vein, supposed to contain silver, at Olizal, in the district of Monterey, attracted some attention, but no profitable mining was done at either of these places.

"Forbes, who wrote the history of California in 1835, said: 'No minerals of particular importance have yet been found in Upper California, nor any ores of metals.' "

From the extracts which I have given above, it would seem that Arizona was the first of the territories under the American flag, west of the Mississippi River, in which gold had been discovered, but it remained for the opening of the large placers along the Colorado River, the discoveries made by the Walker party, and by other adventurers in 1862 and 1863, to attract general attention to the mineral resources of Arizona.

As before stated, the Walker party, after the discovery of the placers in and around Prescott, made a trip to the Indian villages for supplies, where they left letters to be forwarded east and west. Some of these letters undoubtedly reached General Carleton, in command of the Military Department of New Mexico, then embracing Arizona, with headquarters at Mesilla, New Mexico. He immediately sent Capt. Pishon, in command of a company, accompanied by the Surveyor-General of the Territory, Mr. Clark, to the new El Dorado, with instructions to prospect along the route for gold, and to report the result. Capt. Pishon, after

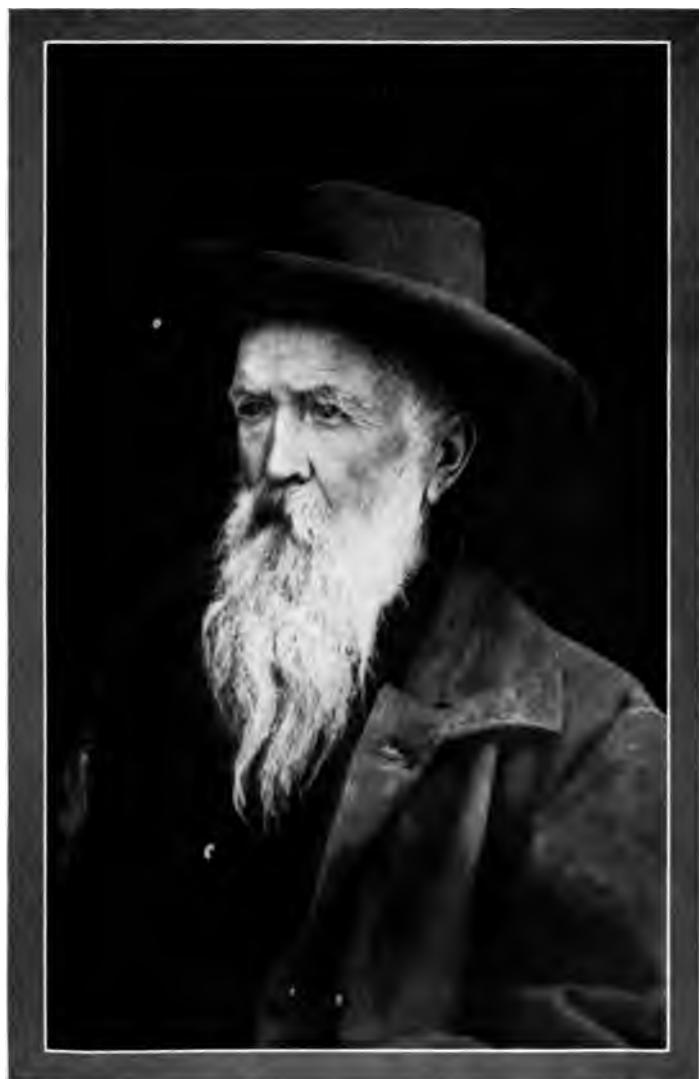
arriving at Chino Valley, some twenty miles north of Prescott, spent several weeks before locating the camp or camps of the Walker party. In the meantime R. W. Groom, familiarly known as "Bob" Groom, whom all old-timers in Arizona will remember, made his appearance at Carleton's headquarters, with reports of the rich discoveries in Northern Arizona, which reports resulted in General Carleton taking an interest in the mines of Arizona as will appear from the following correspondence:

"Headquarters Department of New Mexico.

"Santa Fe, N. M., June 22, 1863.

"My dear Captain:

"I have seen two letters written by Mr. Benedict to Judge Benedict, setting forth the wonderful discoveries which yourself and party have made. I have written to the War Department and to General Halleck on the subject. The Surveyor-General of New Mexico proceeds to visit your new gold regions, and when he returns will make an official report on their probable extent and value, so that the government can be well informed on the subject. If you can do so, when General Clark has completed his observations, I desire that you will come by Whipple's route, by Zuni to Albuquerque, with General Clark and escort, so that I may employ you as a guide for a couple of companies of troops which I will send to establish a military post in the very heart of the gold country. These companies you can guide back by the best practicable route for wagons. I am satisfied that Albuquerque will be the point from which you will draw your supplies. The people who will flock into the country, around the San Fran-



R. W. GROOM.

cisco mountains, will soon open farms and have stock enough for the mines. All they want is military protection on the road and in that country until they have got a good foothold, then they will take care of themselves.

"I am just commencing active operations against the Navahoes. I enclose an order which organizes the expeditions. You see the new fort will be at Pueblo, Colorado, about twenty-eight miles southwest of old Fort Defiance, and this will be the nearest point for your people to get supplies in case of accident. The sutler there will doubtless have a large stock of goods, and I will tell him about keeping on hand such articles of prime necessity as you all might require. I send you a map of the country, so that you may know about where Fort Canby will be situated. I send you another similar map, on which you can trace your new gold fields.

"If I can be of any service to yourself or party, it will afford me pleasure to help you. If I can help others to a fortune, it will afford me not quite as much happiness as finding one myself, it is true—but nearly as much. My luck has always been not to be at the right place, at the right time for fortunes. I have been a little too far ahead, or else a little too much behind, for that. Yourself and your party deserve success for your industry and perseverance. Hoping that each of you will receive abundant reward for your past toil and hardships and danger, I am, captain, very respectfully,

"Your Obedient Servant,

"JAMES H. CARLETON,
"Brigadier-General, Commanding.

"Captain Joseph Walker,
"At the Walker Mines, Arizona.
"Erastus W. Wood,
"Captain 1st Vet. Inf. C. V.
"A. A. A. General."

"Headquarters Department of New Mexico.
"Santa Fe, N. M., June 22, 1863.

"Captain:—

"I send you a map of New Mexico, on which I desire that you will trace your route to and from the new gold fields, in obedience to orders to go as an escort to Surveyor-General Clark.

"Have great care taken of your animals. When you arrive at the new diggings I want each of your men to prospect and wash, and I want you to report the exact time they severally work and the amount of gold each one obtains in return for his labor during that time. Much reliance will be placed upon these statistics. The people must not be deceived, nor be inveigled into that distant desert country without knowing well what they may expect to find. If the country is as rich as represented—and of this I have no doubt—there will, on your return, be a revolution in matters here which no man now can even dream of. I have written to the authorities at Washington, that if the country is rich as reported, on your return I shall send two companies of California troops to establish a post right in the heart of the gold region. Your company may, perhaps, be one of them. So you will have an eye to the best location for a post of one company of infantry and one of cavalry. In returning by the Whipple route to Albuquerque, mark the country well for the whole way from the gold region. Take your best men with

you, and things to wash with. Send me a few specimens for the War Department on your return. Wishing you good fortune, I am, captain, very respectfully,

"Your Obedient Servant,

"JAMES H. CARLETON,

"Brigadier-General, Commanding.

"Captain Nathaniel J. Pishon,

"First Cavalry California Volunteers,

"Fort Craig, N. M.

"Official:

"Erastus W. Wood,

"Captain 1st Vet. Inf. C. V.

"A. A. A. General."

"Headquarters Department of New Mexico,

"Santa Fe, N. M., June 26, 1863.

"General: I have written a letter to Captain Walker, which goes down to Fort Craig to your care. It is hoped and expected that he will come with you as guide on Whipple's route via Zuni.

"Since you left I have seen a gentleman named Groom, who last fall came from the new gold diggings on the Colorado River, ascending Williams' Fork to the San Francisco mountains, and thence in by Zuni to Fort Wingate and Albuquerque. He is very anxious to return to the new gold fields, having always entertained the purpose of doing so as soon as he was able. I have told him to go to Fort Craig and consult with yourself, Colonel Riggs, and Captain Pishon on the subject of your journey. He is firmly of the opinion that he can guide the party to the point indicated in Mr. Benedict's letter as the one where most gold was found—by the route from Zuni. *If this can be done*, a great

distance will be saved, much very hot weather upon the desert avoided, and, better than all, much time gained. The subject is left wholly to your decision. In case you determine to go from Fort Craig via Zuni, and so on on Whipple's route, Captain McFerran and myself have come to the conclusion that with three good wagons and teams you can take flour, bacon, sugar, coffee, salt &c., enough for the party for seventy-odd days, and travel light. You should take some pack-saddles complete, with ropes, wanties, &c., perfect, that when near the San Francisco mountains, if it becomes necessary or advisable to leave a camp or leave your wagons, you can proceed on to the gold fields without embarrassment. Great care and forecast must be exercised to have everything which will be indispensably necessary, and not an ounce more. In case you conclude to go by the Zuni route, then Mr. Groom can be employed by Colonel Rigg as a guide. From Fort Craig to Zuni there is a wagon-road over which troops have travelled, and Captain McFerran says there are men living at Socorro, and in the neighborhood of Fort Craig, who know this route. One of them, Colonel Rigg can employ to pilot you out on to the Whipple route wherever it may be necessary to strike it, whether at or this side of Zuni. This guide can go through with you. Once on the Whipple route, then Mr. Groom's knowledge will be available. In case no such guide can be found for the country between Fort Craig and the Whipple route, your party can come up the river to Las Lunas and go out on the road via Fort Wingate. In this event, you need take from Fort Craig only rations enough to last to Wingate, and there lay in the supply

for the remainder of the journey. This will save your stock for the rest of the work.

"All these remarks have been made having in view the decision to go via Zuni. In case you go by the Fort West route, as originally suggested, Mr. Groom, being an old and experienced packer, can be employed in that capacity. You will find him a very gentlemanly and intelligent man. He has had misfortunes and is entirely destitute, but from what I have seen of him, and what I have heard of him, he seems to be worthy of consideration, kindness, confidence and help. He is known to Colonel Rigg.

"Great care and vigilance must be exercised with regard to Indians. *Never* be off your guard; *never* become careless; be sure when your stock is grazing to have men *with arms in their hands* always with them, and *always* on the alert and *awake*. I *cannot* impress this matter too strongly upon your mind. In my experience I have found that to travel mornings and evenings, and to lie by in the heat of the day, keeps the stock in better order than to make the whole march without turning out to graze. I wish you luck.

"I am, general, very respectfully, your obedient servant,

"JAMES H. CARLETON,

"Brigadier-General, Commanding.

"General John A. Clark,

"Surveyor-General of New Mexico, Fort
Craig, N. M.

"Official:

"Erastus W. Wood,
"Captain 1st Vet. Inf. C. V.
"A. A. A. General."

"Headquarters Department of New Mexico,

"Santa Fe, N. M., June 26, 1863.

"Colonel: I send you this note by Mr. Groom, whom you know. I have written to General Clark that if, upon consultation with yourself and Captain Pishon and Mr. Groom, it shall seem expedient to go to the new gold fields via Zuni, you are authorized to employ Mr. Groom as a guide, at a reasonable compensation. In the event of a decision among you to go that way, starting across the country directly from Fort Craig to the Whipple route, you are authorized to employ some good person as guide until that road is struck. This latter person's services will be continued throughout the journey to and from the gold fields. After the Whipple road is struck, he can act as a spy and herder, etc. In case it is concluded to go via Fort West and Tucson and the Pima villages, you are authorized to employ Mr. Groom as packer, at a reasonable compensation.

"Great care should be taken to fit out this party down to the minutest detail. Some medicines should be taken along, some lint, bandages, a field torniquet, etc., etc. The wagons should be minutely inspected, the boxes looked at, and extra linchpins, hame-strings, buckskins for mending harness, rope for packing, two lanterns made secure from breakage, (in case a man is wounded by night,) axle-grease and auger, saw, some wrought nails, &c., &c.

"I am, colonel, very respectfully, your obedient servant,

"JAMES H. CARLETON,
"Brigadier-General, Commanding.

"Colonel Edwin A. Rigg,

"Commanding at Fort Craig, N. M.

"Note:—In case the party goes by Fort Win-gate, provisions for the trip can be got there.

"Official:

"J. H. C.

"Erastus W. Wood,

"Captain 1st Vet. Inf. C. V.

"A. A. A. General."

"Headquarters Department of New Mexico.

"Santa Fe, N. M., August 1, 1863.

"General: Enclosed herewith please find the last advices from Chihuahua, Mexico, received at these headquarters. Mr. Creel's letter, dated July 15, 1863, you will find to give the true feeling of the Mexican people in Chihuahua.

"The extraordinary developments of gold and silver in Arizona, which I write to you about in another letter by this mail, are but one example of the gold and silver in Chihuahua, Sonora and Sinaloa, which states the French want, and which we should never permit them to have.

"Respectfully, I am, general,

"JAMES H. CARLETON,

"Brigadier-General, Commanding.

"Brigadier-General Lorenzo Thomas,

"Adjutant-General U. S. A., Washington,

D. C.

"Official:

"Erastus W. Wood,

"Captain 1st Vet. Inf. C. V.

"A. A. A. General."

"Headquarters Department New Mexico.

"Santa Fe, N. M., August 2, 1863.

"General: On the 21st of last June I wrote to you a letter, enclosing copies of several com-

munications in relation to extraordinary discoveries of gold and silver in Arizona Territory, particularly at a point or region lying southwestwardly from the San Francisco mountains, west of Albuquerque, New Mexico. I now herewith enclose two other communications from Mr. Benedict and a man named Jack Swilling, both reliable men, on the same subject. These communications speak for themselves.

"There cannot be a doubt, from these and from other reliable sources that all that is said of these discoveries is true.

"You will see by the last return of the troops in this department that the effective strength is less than three thousand men. Of these, nearly eleven hundred are in active operations in a campaign against the Navaho Indians, and many of the remainder are constantly employed in active operations against the Apaches, who are scattered through the country in small bands, committing murders and robberies almost daily. The cavalry force in this country is entirely inadequate to pursue successfully these lawless savages. There were seven companies of the 1st cavalry California volunteers, which, last winter, General Wright wrote should be sent one by one across the desert, to New Mexico, as fast as they were raised. Of these, *none have come*, nor do I hear of their coming. Even if they started soon, it would be winter before they would arrive. I beg respectfully to urge upon the War Department, the absolute necessity of sending to this department, at the earliest practicable moment, one full regiment of cavalry. The forage here this year is more abundant than ever, and when our stores now en route arrive,

we shall have an abundance of everything for their wants.

"As soon as the surveyor general, Clark, returns and makes an official report on the richness and extent of the new gold fields, *it will be absolutely necessary* to post troops in that section of the country; indeed, the capital of Arizona will be sure to be established *there*. All of the people of Tucson, our teamsters, and employees generally, who could possibly get away, have already left for that region. These troops, together with those we need here, additional to what we have, will fall below the mark of what are required. *There will be many desertions.* It is therefore incumbent on the War Department to take timely measures, so that troops to come may reach here before the grass is dry on the prairies or the winter sets in.

"The subject of these new discoveries demands the immediate and serious attention of the government.

"I am, general, very respectfully, your obedient servant,

"JAMES H. CARLETON,
"Brigadier-General, Commanding.

"Brigadier-General Lorenzo Thomas,

"Adjutant-General of the Army, Washington, D. C.

"Official:

"Erastus W. Wood,
"Captain 1st Vet. Inf. C. V.
"A. A. A. General."

"Headquarters Department of New Mexico.

"Santa Fe, N. M., September 6, 1863.

"General: I enclose herewith the copy of a letter from Captain A. H. French, first cavalry

California volunteers, himself an old practical miner. From all points I hear news confirmatory of the theory that from the head of the Gila northwestwardly to the Colorado River, near Fort Mohave, there is a region of country of unequalled wealth in the precious metals. I soon expect to hear of the return of Surveyor General Clark, and the party I sent with him to the new Eldorado, when the government will then be officially as well as reliably informed, by an eye-witness, of the wealth so much written about.

"I am, general, respectfully, &c.,

"JAMES H. CARLETON,
"Brigadier-General, Commanding.

"Brigadier-General Lorenzo Thomas,

"Adjutant-General U. S. A., Washington,
D. C.

"Official:

"Erastus W. Wood,
"Captain 1st Vet. Inf. C. V.
"A. A. A. General."

"Headquarters Department of New Mexico.

"Santa Fe, N. M., September 13, 1863.

"General: I have the honor herewith to enclose, for the information of the War Department, copies of letters received from Samuel J. Jones, Charles O. Brown, and King S. Woolsey, in relation to the new gold fields southwest from the San Francisco mountains, about which I have so frequently written you. Brown and Woolsey are men whose statements are to be credited. Jones simply transmits Brown's letter.

"Surveyor General Clarke, and the officer and men I sent with him, have not yet returned.

They should be back before the end of the month, when their reports will be forwarded. It is unnecessary for me to take up the time of the War Department by making comments on the prospective results of such startling developments of treasure, whether to Arizona and New Mexico, or to the country at large; they will be apparent to all on a moment's reflection.

* * * * *

"In other letters heretofore written, I have endeavored to impress upon your mind the importance of sending an additional regiment of cavalry—a full regiment—to this country. Authority has been received by the governor of New Mexico to raise in the Territory two regiments more of troops, but it is very doubtful if even one can now be raised; first because of the real scarcity of men; second because other more profitable pursuits interpose; third because nearly all the floating population will go to the new gold fields. An effort will be made to raise one regiment of infantry, as there are not horses in the Territory which can be spared from other labor to mount a regiment of cavalry. If a full regiment of cavalry could at once be sent here from the States, I would have troops quite sufficient, I hope, to whip the Indians, and to protect the people going to and at the mines. The authority to raise one independent company in each county, for the protection of the people and flocks and herds of that county, should be given to me. I have no inclination to ask for more authority or more troops than I need. I beg respectfully to say, if I am considered worthy of commanding so remote a department, some confidence should be reposed in my judg-

ment—being, as I am, upon the ground—of what is absolutely wanted. If troops cannot be sent, permit me to recruit in Colorado territory. One thing should be borne in mind: Every regiment you send here, whether from the east or from California, will stay. Thus each one is a military colony, to people the vast uninhabited region between the Rio Grande and the Pacific. As winter is so near, time now is everything.

“Pray let serious attention be given to the subject of these new discoveries of gold. A new revolution in all that pertains to this country is on the eve of commencing and the government should provide for approaching emergencies. The people will flock to the mines, and should be protected.

“Providence has indeed blessed us. Now that we need money to pay the expenses of this terrible war, new mines of untold millions are found, and the gold lies here at our feet, to be had by the mere picking of it up! The country where it is found is not a fancied Atlantis; is not seen in golden dreams; but it is a real, tangible El Dorado, that has gold that can be weighed by the steelyards—gold that does not vanish when the finder is awake.

“I hope I may not be considered visionary, and therefore be denied reasonable help. This is a great matter not only for our present wants, but for the future security of our country; for, henceforth, in place of a desert, dividing peoples, we find a treasure which will attract not only a population to live upon that desert, but which will, as sure as the sun shines, bring the great railroad over the 35th parallel, and thus unite the two extremes of the country by

bars of steel, until, from the Atlantic to the Pacific, we become homogeneous in interest as in blood.

"I beg you will send to New Mexico a first-rate topographical engineer to map the new gold fields, and fix their position instrumentally. Congress should, by early legislation, determine whether the government shall have the right of seigniorage in these new treasures, and whether foreigners shall come and take gold from the country *ad libitum* and without tax.

"I am, general, very respectfully, your obedient servant,

"JAMES H. CARLETON,
"Brigadier-General, Commanding.

"Brigadier-General Lorenzo Thomas,

"Adjutant-General U. S. A., Washington,
D. C.

"Official:

"Erastus W. Wood,
"Captain 1st Vet. Inf. C. V.
"A. A. A. General."

"Headquarters Department New Mexico.

"Santa Fe, N. M., September 13, 1863.

"Sir: I have had the honor frequently to write to the War Department of the new gold fields which have been discovered along the Gila River, and upon the line of the 35th parallel, between the Rio Grande and the Rio Colorado. Enclosed herewith please to find copies of letters upon this subject which I have just received.

"You will at once perceive that the capital, as well as the population, of the new Territory of Arizona will be near that oasis upon the desert

out of which rise the San Francisco mountains, and in and beside which are found those extraordinary deposits of gold; and not at the insignificant village of Tucson, away in the sterile region toward the southern line of the Territory. This will render absolutely indispensable a new mail route over the Whipple road to the new gold fields, and thence crossing the Colorado at old Fort Mohave (now abandoned), and thence up the Mohave river and through the Cajon Pass to Los Angeles, California. People flocking towards these mines will clamor for, and will deserve to have, mail facilities. They will go from the east; they will come from California; therefore liberal appropriations should be made early in the approaching session of Congress to prepare the road; to establish a post near the San Francisco mountains; to re-establish old Fort Mohave; to have a first-class permanent ferry across the Colorado at that point; and to provide for an overland mail from Albuquerque to Los Angeles. The reason why I have presumed to write to you upon this important matter is that you may give it timely consideration.

"There is no doubt but the reports of these immense deposits of gold are true. As a statesman you will readily imagine all of the political results which must at once ensue from such startling developments when they obtain publicity. This should not be given to them until we have official reports from Surveyor General Clark and a party I sent with him to see precisely into the matter. We know from various other sources what that report must be, at least sufficiently to make timely preparations for emergencies which will then at once arise.

"For myself there comes no little satisfaction in the thought that, for all the toil through the desert of the troops composing the column from California, there will yet result a substantial benefit to the country; that if those fellows, who encountered their hardships so cheerfully and patiently, who endured and suffered so much, have not had the good fortune to strike a good, hard, honest blow for the old flag, they have, at least, been instrumental in helping to find gold to pay the gallant men who have had that honor. Somebody had to perform their part in the grand drama upon which the curtain is about to fall. The men from California accepted unmurmuringly the *role* that gave them an obscure and distant part upon the stage, where it was known they could not be seen, and believed they would hardly be heard from; but in the great tragedy so cruelly forced upon us, they tried to perform their duty, however insignificant it might be, and to the best of their ability; and now, a finger of that Providence who has watched over us in our tribulation, and who blesses us, lifts a veil, and there, for the whole country, lies a great reward.

"I am, sir, very respectfully, your obedient servant,

"JAMES H. CARLETON,

"Brigadier-General, Commanding.

"Hon. Montgomery Blair,

"Postmaster-General, Washington, D. C.

"Official: "Erastus W. Wood,

"Captain 1st Vet. Inf. C. V.

"A. A. A. General."

The foregoing ends correspondence before reports were made by Surveyor-General Clark.

"Headquarters Department of New Mexico.

"Santa Fe, N. M., September 20, 1863.

"General: I have the honor to report that Mr. John A. Clark, the surveyor-general of the Territory of New Mexico, has returned from his visit to the newly-discovered gold fields. He has written to me a letter giving a brief synopsis of his observations, a copy of which please to find herewith enclosed.

"General Clark is very careful to keep well within bounds in all he says about the gold, as he desires to give rise to no expectations which may not be realized. That there is a large and rich mineral region between the San Francisco Mountains and the Colorado River there can be no doubt.

"I am making preparations to establish a military post of two companies of infantry at or near the lines; and it is my purpose to have the troops leave the Rio Grande for that point some time about the 10th proximo.

"I beg again respectfully to urge upon the War Department the expediency as well as the necessity of having an appropriation for the making of a road from the Rio Grande to the new gold fields and thence to Fort Mohave on the Colorado River. From the latter point there is already a road up the Mohave River through the Cajon Pass to Los Angeles. Mail facilities should also be put upon the road. The new government of Arizona, if it ever come, will be at the gold fields, not at the insignificant village of Tucson.

"I am, general, very respectfully, your obedient servant,

"JAMES H. CARLETON,
"Brigadier-General, Commanding.

“Brigadier-General Lorenzo Thomas,
“Adjutant-General, U. S. A., Washington.
D. C.

“Official:

“Erastus W. Wood,
“Captain 1st Vet. Inf. C. V.
“A. A. A. General.”

“Headquarters Department of New Mexico.

“Santa Fe, N. M., September 20, 1863.

“My dear Sir: Knowing the great interest which you feel in all matters that will increase the prosperity of our country—and more particularly, at this time, in all matters that relate to the moneyed resources—I have ventured to write to you concerning the new gold fields recently discovered near the San Francisco Mountains on the 35th parallel, and between the Rio Grande and the Rio Colorado. Surveyor-General Clark, of this Territory, has just returned from these new gold fields, and has written a letter to myself, giving a brief account of what he saw. General Clark is prudent in his expressions, lest extravagant expectations might be raised on what he says, leading to disappointment. From what he says, and from what I learn from other sources, a large region of country, extending from near the head of the Gila along the southern slope of the Sierra Blanca, Sierra Mogollon, (copper mountain,) San Francisco Mountains, and thence to the Colorado, is uncommonly rich, even compared with California, in gold, silver, cinnabar, and copper. On the prieta affluent to the Gila, from the north, gold was found by my scouting parties last winter as high as ‘forty cents to the pan.’ And veins of argentiferous galena were found

which, I am informed by the best of authority, yielded more than a dollar to the pound of crude ore. If I can but have troops to whip away the Apaches, so that prospecting parties can explore the country and not be in fear all the time of being murdered, you will, without the shadow of a doubt, find that our country has mines of the precious metals unsurpassed in richness, number and extent, by any in the world. Rich copper, in quantity enough to supply the world, is found at the head of the Gila. Some of this copper abounds in gold. Some is pure enough for commerce with but very little refining. The gold is pure.

"I send you herewith a specimen of copper from near Fort West, on the Gila, and two specimens of pure gold from the top of Antelope Mountain, spoken of by General Clark. These specimens were sent to me by Mr. Swilling, the discoverer of the new gold fields, near the San Francisco Mountains. If it be not improper, please give the largest piece of the gold to Mr. Lincoln. It will gratify him to know that Providence is blessing our country, even though it chasteneth.

"Now, would it not be wise for Congress to take early action in legislating for such a region; to open roads; to give force to subjugate the Indians; to give mail facilities; to claim rights of seigniorage in the precious metals, which will help pay our debts, &c.?

"To so eminent a statesman as yourself it will be sure to occur that timely steps should be taken for the development and security of so rich a country.

“Pray pardon my having trespassed upon your time, and believe me to be

“Very respectfully, your obedient servant,

“JAMES H. CARLETON,

“Brigadier-General, Commanding.

“Hon. Salmon P. Chase,

“Secretary of the Treasury, Washington,
D. C.

“Official :

“Erastus W. Wood,

“Captain 1st Vet. Inf. C. V.

“A. A. A. General.”

The world's progress has always been marked by a plenitude of gold and silver. There is little doubt but that the glory of Solomon's reign was created by the discovery of the gold of Ophir. The civilization of Greece and Rome was promoted by the working of the mines of Europe and Asia for precious metals. The civilization of the world relapsed into barbarism during the Middle Ages, but was revived by the discovery of the wealth of the Incas and the Aztecs. The gold fields of California gave new impetus to the wheels of industry in all directions, and, in our day, the highest stage of civilization of the Twentieth Century has been promoted to a great extent through the plenitude of gold and silver as a circulating medium.

In 1863 the placer mines of California were exhausted, but through vein mining and hydraulic mining, the output of gold for that State amounted to about twenty-five millions of dollars per annum. The discovery of the Comstock Lode in 1859, and of silver in other portions of

Nevada and in Utah, was sufficient to direct the attention of prospectors to the possibilities of rich mines in Arizona and New Mexico. To this fact can be attributed the addition of many thousand energetic and adventurous men who have assisted in reclaiming our State from savagery to civilization.

CHAPTER II.

PRECIOUS METALS IN ARIZONA.

REPORT OF MILITARY PROSPECTING EXPEDITION—
A. F. BANTA'S STORY — SELECTION OF SITE
FOR MILITARY POST — WALKER AND OTHER
EXPEDITIONS — PAULINE WEAVER — EARLY
TIMES AROUND PRESCOTT — ESTABLISHMENT
OF FORT WHIPPLE — FRED HUGHES' STORY.

By the foregoing correspondence of General Carleton, it will be seen that the news of the discovery of placers in Apacheria created great excitement in New Mexico. Captain Pishon, with Bob Groom as pilot, following the old Beale Wagon Trail along the 35th parallel, made his way into the Valley, where he established a temporary camp. From there he discovered the Walker Party on Lynx Creek and other creeks around Prescott, and from the report which he gave to General Carleton, the great expectations which had been built up in Carleton's mind, seemed to be on the point of realization. It will be remembered that this was only about fifteen years after the discovery of the rich gold placers of California, and, at this date, 1863, mining was *the* business in California, Nevada and Utah. The rich discoveries of gold and silver in the two latter territories were published throughout the world. The Government, at that time, needed the precious metals to finance its military operations. The bonds of the Government, while the principal was payable in currency, bore interest which was payable in gold. This interest ranged from six to seven and a half per cent per annum, and at this time, which was just before the battle of Gettysburg, gold

reached its high-water mark in New York, selling at about 280 premium, so everyone can sympathize with General Carleton when, from reports, he supposed that the gold fields of Arizona would equal, if not surpass, the placers of California.

Upon their return, Captain Pishon and General Clark, the Surveyor-General, after spending two weeks in the mines, reported them of extraordinary value. Men, they said, were making from ten to a hundred dollars a day with a rocker. In and around Weaver, fortunes had been picked up in large nuggets, and it was supposed that the placer fields had been only touched and were a great deal more extensive than they afterwards proved to be. In the meantime expeditions had been organized by private citizens to go to the new El Dorado. The first is that mentioned by Col. Banta:

"Much has been written about the 'Captain Joe Walker' party; its aims and objects, etc. One 'authentic' account says it was a prospecting expedition headed for the canyon of the Little Colorado river, where Walker had found gold in the early forties; all these stories are erroneous and far from the truth.

"Captain Joseph Walker was an honorable man, and a natural commander of man. Captain Sibley, of the Southern Confederacy, had undertaken the conquest of New Mexico, and the capture of Fort Union, the great depot of supplies of the U. S. Government. However, the defeat of the Sibley expedition at Apache Canyon, changed the aspect of affairs.

"Captain Joe Walker, with a few followers, started eastward from California, gathering

new members en route, until he reached Colorado. He had no intention of going to Arizona when he left California; otherwise he would have gone south from California and entered Arizona either at La Paz or Yuma, and certainly would not have gone eastward through several states and territories if Arizona had been his objective point of destination. Captain Walker and all his followers—with one exception—were Southern sympathizers. The defeat of General Sibley at Apache Canyon was an unexpected event, which Walker had not thought possible, and Sibley's complete evacuation of New Mexico left that Territory in the hands of the Union troops. This changed the aspect of affairs, and the Walker party metamorphosed into a 'prospecting party.' At this time New Mexico was under martial law, and naturally all armed parties were viewed with suspicion, hence the 'prospecting party.' There was one man with the Walker party of Union sympathies, named A. C. Benedict, who informed General James H. Carleton, the Union Commander in Santa Fe, of the purpose of the Walker Expedition. Captain Walker, feeling that his movements were under military surveillance, decided to make a strategic movement and hoped by the ruse to deceive the U. S. military. Instead of going down the Rio Grande, he struck westward from Albuquerque over the old immigrant trail leading from that place to Los Angeles. Having reached Antelope Springs at the base of the San Francisco mountains, and the present site of Flagstaff, Walker knew he must be north of the Gila river, and a southward course would lead to that stream. From any point on the Gila

his course would be eastward to Texas. But, reaching the Black Forest mountains, and discovering gold, which was merely an accidental incident, the Walker party were loath to leave the 'real thing' to go gallivanting after such an unsubstantial product as 'empty glory.' Before the party had pulled out of Albuquerque, Benedict had apprised Carleton of the westward movement.

"In the meantime the late Col. Bob Groom, following in the wake of the Walker party, was arrested and put in the guardhouse. Bob had a friend in Congress, Senator McDougal of California, to whom he wrote to get him out of 'hock.' The Senator called upon Secretary Stanton, who informed him that his friend Groom must take the oath of allegiance to the U. S. Government, or remain under guard until the close of the war. There was no alternative,—Bob took the oath. After his release from the guardhouse General Carleton sent for Bob, and asked him if he desired to join the Walker party in Arizona; that he was about to send out a scouting party to look up the party, and if he so desired he (Bob) could go along as guide to Capt. Pishon, who would command the scouting party. Bob accepted the proposition and joined the Pishon expedition in search of the Walker party. Pishon's orders were to follow the trail of Walker, and if the party were permanently located, as rumor had it, to select a site for a military post as near the Walker party as practicable. The trail was followed to Chino Valley, but here it had become obliterated. However, Pishon came up to what is now known as Granite Creek, where he made camp about four o'clock in the after-

noon beneath some large pine trees; about where the courthouse at Prescott now stands. Shortly after making camp, a shot was heard up the creek and Bob went up to investigate, hoping to find the Walker party. About a mile above Bob met old Pauline Weaver, and, to inquiries, was told by Weaver: 'I was up the side of this mountain yesterday, and saw a smoke over there' pointing southeastward, 'and it was not an Apache smoke; perhaps your people are over there, I don't know.' Bob returned to camp and the next day they went 'over there' and found the Walker party. Pishon selected a site for a military post near the mouth of Walker's Gulch, about where Col. King S. Woolsey built the first house, now known as 'Bower's ranch.' This done, Capt. Pishon returned to Santa Fe, and Groom remained with the Walker Party.

"It may be of general interest to know how I became aware of these 'inside facts.' I was at Albuquerque at the time; the country was under martial law; Lieut. Johnson was Provost Marshal; H. S. Johnson published the Rio Abajo Press; he was on the 'inside' in matters military and I worked in the office, so I, too, was on the 'inside.' Nuff sed.

"In the summer of 1864, Captain Joe Walker, still having the Southern cause in mind, a plot was hatched in Prescott and Walker's Gulch to capture Fort Whipple and the Capitol, and then organize the Territory as a dependency of the Southern Confederacy. In the event of success, General Coulter—one of the Walker Party—was to be made provisional Governor, and Captain Walker, Adjutant-General. Of course, Benedict was on, and gave it away to the commanding

officer at Whipple, and the 'plot' was nipped in the bud. Benedict immediately left for Tucson, and soon afterwards took up a ranch on the Sonoita. One day, while plowing with a rifle strapped on his plowhandles, he was attacked by Apaches. Securing his rifle, and from the shallow breastwork of the furrow, though desperately wounded, he put up so hard a fight that the Apaches finally left him. He survived for a time, though he never fully recovered, and finally died from his wounds.

"In regard to Captain Pauline Weaver: Very little was known about Captain Weaver. He had lived with the Yumas, Apache-Yumas, Mohaves, Apache-Mohaves and other tribes of Apaches since 1841. He was very uncommunicative and stoical; more Indian than white. I first met Weaver in 1864, at which time he was along in years. He soon after became a pensioner of the military and at Camp Verde was taken down sick, but strenuously opposed going into the hospital, declaring he could not live or breathe in a house. Before he took sick Weaver lived in a camp north of the post, perhaps a half mile or more away, and when found sick the commanding officer ordered a party of soldiers to take a tent and erect it over the sick man. Even this was objected to by the old man, but he was too sick to do more than object. Here he died and was buried by the military; and thus ended the career of this peculiar and mysterious character. It was generally believed that Weaver had been an officer in the army at one time, but nothing of a certainty was ever known."

The Walker expedition was followed in rapid succession by others. General Carleton as be-

fore stated sent an expedition to Arizona to take possession of the country and to establish a military post in the neighborhood of the Walker party. Of this expedition, Mr. Banta says:

"This military expedition comprised sixty bull teams, six mule teams and three ambulances. The wagons were loaded at Fort Union with commissary and quartermaster supplies, the outfit pulled out of Union on October 5th, 1863, with orders to rendezvous at Old Fort Wingate. The real start was made from Fort Wingate, and the expedition as a whole was composed of two companies of California Volunteers—'F' and 'C,' First Regiment,—also Capt. Pishon and a part of his company. The officers were Major Willis, Captains Benson and Hargrave, Lieuts. Nelson and Pomeroy. Dr. Lieb and wife also accompanied the expedition. I had joined the expedition at Albuquerque in the humble capacity of bullwhacker. We reached Chino Valley and established Fort Whipple there on the 21st day of December, 1863. Soon after Governor John N. Goodwin and party arrived at the post and established the temporary capital of the Territory at Whipple. Secretary R. C. McCormick had brought out a small printing outfit and started the "Arizona Miner," a monthly publication. T. E. Hand came out to run the thing. I helped to get out the first issues of the paper.

"Some time in April (1864), Governor Goodwin selected the town site, which was surveyed by Col. Bob Groom and Van C. Smith, and afterwards named Prescott. Previous to this the placer miners on Granite Creek had become 'public spirited,' took a day off, held a meeting,

and dubbed their camp 'Goodwin,' in honor of the Governor. The 'Goodwinites' endeavored to persuade the Governor to locate his capital in their 'city,' but he decided in favor of the site where Prescott now stands. After the survey the Governor's outfit moved up to the new town-site. Fort Whipple was moved up, and the old camp at Chino Valley was renamed 'Camp Clark,' in honor of Surveyor-General Clark of New Mexico. Before the selection of the town-site, the miners camped on some high ground north of Sam Miller's ranch; of course, there was no ranch there at that time. In this camp was Charley Mason, Sugar-Foot Jack, myself, and many more. Sugar-Foot was an English convict from Van Diemen's Land. He had escaped and made his way to California where he enlisted in the California Volunteers, but was discharged for thievery. Jack came out as a bullwhacker. The rascal was as brave as a lion, even if he was a notorious thief. On one occasion, George Goodhue, from Lexington, Mo., and three other fellows from Colorado, were over towards Granite Mountain on a prospecting trip, and, on their return to Prescott, were attacked by Apaches, and at the first fire Goodhue fell dead and the three Colorado fellows fled. Jack made a fight alone, and with his two six-shooters he whipped the Indians. Our brave (?) boys from Colorado reached Prescott, and reported they had a hard fight with the redskins and that Goodhue and Sugar-Foot were killed. In five minutes, a party was on the way to the scene of the fight, where they found Jack smoking his pipe by the dead body of George.

"Loren Jenks had the first hay contract for Whipple after its removal to its present site. 'Poker' Johnson took a sub-contract and established a hay camp below the 'rocks.' At this time I was employed by 'Poker,' (after I herded stock for R. E. Farrington all winter at \$7.50 per month), to scout about the camp and look out for Apaches, at \$75.00 per month. The hay was cut with hoes, and at that sort of work the men could not keep an eye out for reds. The late John H. Behan—my partner and chum—was here cutting hay, also a Mr. Giles and others, besides a number of Mexicans. This was in July, 1864, and while in this camp, the first election was held and Giles was elected to the First Legislative Assembly. I, of course, did not vote, as I was not of legal age, but cast my first vote in 1866.

"One Sunday a hay-cutter named Henson was out not far from the camp, perhaps a quarter of a mile, where he was jumped by Apaches, and killed one with his pistol. The shot was heard in camp, and when he came in, the boys asked what he had shot at. He said, 'I shot an Apache; he fell, and I think I killed him.' A few days afterwards I was over the same ground and, seeing some buzzards flying around there, I made an examination and found the dead Indian. Speaking of Apaches, when I was herding for Farrington, sometimes I carried an old Dragoon holster pistol, loaded to the muzzle with powder and ball. This I carried in my hand, muzzle down. One day I got sight of three Apaches, making off with three burros. I started for them, and they turned up a canyon. To head them off, I cut across the small mountain. When I reached the top, the Apaches had left the burros in the can-

yon and were hiking for Granite mountain. The funny part about this thing was that a day or two afterwards I was in the 'rocks' and met a mountain lion. The brute was not more than twenty feet away with his head towards me, waving his tail back and forth. To make a sure shot, I knelt down to rest the pistol on my knee. I pulled the trigger and the pesky thing snapped. I examined it, and found no load in it. I had been hunting Indians and mountain lions with an empty gun. Many times I lit my pipe at Indian fires while herding the stock. Back of our camp was a small volcanic butte. At night the Apaches would go there and look down upon our camp. I saw their tracks there on several occasions, and made up my mind that I would do some night work too. One night, without saying a word to anyone of my intentions, I took my rifle, an old muzzle-loading squirrel gun, and went up to the top of the butte. In due time the Apaches came. There was no moon, and I had to shoot at random, and those reds were badly frightened, if no more.

"After the hay was 'dug' Charley Beach had the contract to haul it to Whipple. The bull-whackers were Berry Dodson, Dave and Sam Smiley, Charley Washburn, John H. Behan, Dan White, and C. A. Franklin. In the summer of 1864, Jim Fine and Ely Pulteney located and built a little rock cabin above the 'rocks.' After we had finished hauling the hay, Beach had the teams taken to the Fine-Pulteney cabin. A corral of cottonwood poles was built about the cabin. The bars of the corral were stuck through holes in the cabin near the corner next to the door, and at night a log chain was wound around

these bars close up to the cabin. Sleeping in the cabin that night were Beach, Fine, Pulteney, Henson, Behan and the writer. The cabin was about 8x10, with no window and only a blanket for the door. Some time in the night the little dog began barking. This awakened Henson and myself. Henson got up and, raising the blanket looked out. At this moment the pup gave a sharp yelp, and all was quiet. I asked Herison what was up, and he said, 'A coyote, perhaps,' and, hearing nothing more, he lay down and we again went to sleep. The next morning we found the log chain unwound, the bars down, and every hoof of the cattle gone. The little dog was lying dead with an arrow through its body not more than fifty feet from the door of the cabin.

"Up at 'Gimletville,' the name derisively given to Goodwin by the Prescottites, were two restaurants. One was kept by the 'Virgin Mary' and the other by a man named Jackson. The 'Virgin Mary' had come up from Tucson with 'Nigger' Brown, and had brought a dozen or two goats with her. Both restaurants had drawing cards. The 'Virgin Mary' pull was goat's milk for coffee, and Jackson's was his sixteen-year old stepdaughter. As between the two 'cards' I think the goat's milk had the stronger pull.

"In those early days greenbacks were at a discount. The gold standard prevailed. Bacon was a dollar and a half a pound in gold, or three dollars in paper money, and the same price for coffee and sugar. A pair of the most ordinary boots cost \$25 in gold. At this rate I bought no boots, but made moccasins. The winter of 1864-65 found me in Prescott. John P. Burke

and a man named Hollister were running the Prescott House on Granite Street. Here I was a general factotum about the place. That winter the first mail came in from La Paz, brought in by a Mr. Grant who left the same at the 'hotel.' I put the few letters behind the bar, and gave them out to anyone calling for them. Hence I handled the first mail entering Prescott. Afterwards, by common consent, it was turned over to 'Parson' Williams.

"The most dangerous man in Prescott at this time was A. G. Dunn. He had killed a man in Oregon and was sent to the pen, but through influential friends had secured his release and come to Arizona. In town were two 'Sols,' Little Sol, and Black Sol, and Dunn had some words over a Mexican woman with Black Sol, and Dunn threatened to kill Black Sol. Dunn never carried a pistol, but did carry a small Ballard rifle at all times. The little Jew armed himself with two big six-shooters and, being rather diminutive in stature, the muzzles of the two pistols whacked against the calves of his legs to the amusement of everybody. One evening 'the woman in the case' was at the cabin of McMahan, who had a Mexican wife. Mac was an assayer. Black Sol also put in there, too, and pretty soon someone in the house saw Dunn approaching. The Jew was frightened and crawled under the bed. Dunn had no idea that the Jew was there and entered the room, put his gun in a corner, and sat down on a chair leaning back against the bed. McMahan, fearing trouble should Dunn discover the presence of the Jew, came up to the hotel after the sheriff. Burke was under-sheriff and, with a pocket derringer, returned with McMahan

to the cabin. He walked close up to Dunn, shooting Dunn through the left shoulder. Dunn jumped to his feet and made for his gun. Burke fled out the door and as he ran Dunn fired and shot the stock off the pistol in Burke's right hand, the ball passing through Burke's thumb. It happened that Dunn had no more cartridges and, after firing at Burke, he set his gun down against the wall of the cabin on the outside and stood there with his back against the house. In the meantime Burke had gone to the hotel and reported matters to the sheriff, Jerome B. Calkins. The sheriff, accompanied by Charley Ott, went to the McMahan cabin, both armed with sixshooters. Dunn saw them approaching but made no move, nor did he say a word. At the proper shooting distance Calkins turned loose with his gun; he shot the second time, and again the third time. Still Dunn made no move nor opened his mouth. The sheriff then went up to him, supposing that he had missed the fellow all the time, and placed him under arrest. Coming to the hotel Dunn practically gave way from loss of blood, and then it was that the sheriff knew that he had hit Dunn. The wounded man was brought into the hotel and laid upon the floor. Dr. John T. Alsap did something for the man, but advised sending for Dr. Coues at the fort, Coues came up and plugged up Dunn as best he could, but thought the man had no chance to live. Dunn said: 'Doctor, are you through?' and then called for the drinks, saying, 'I'll live to get even with those fellows.' And, strange to say, he did. I sat up with Dunn that night looking all the time for him to die. Dr. Coues came up the following morning, and to his surprise, found the

man alive. He said to Dunn: 'You have great vitality and have a chance to recover.' To this Dunn smiled and said, 'Of course I will,' and he did recover.

"Along in the spring of 1865, Major Staples, a paymaster in the army, paid off the troops at Whipple, and with an escort of California Volunteers, started back to his headquarters at Santa Fe. Several parties took advantage of the escort to return to New Mexico. Among those going back were C. W. Beach, George Cooler, Burke and myself, and, perhaps, a few others. We followed our old military trail via Chino Valley, Hell Canyon, Rattlesnake Tank, Bear Springs, Volunteer Springs, Antelope Springs, the present site of Flagstaff—Coconino Tanks, Walnut Tanks, the Little Colorado at the mouth of the Canyon Diablo, and so on. It was some time in the month of April, 1865, this trip was made. We had six mule wagons for baggage and grub; the escort were cavalrymen, and the Major rode a horse.

"Before we had reached the Coconino caves, I pushed on ahead of the outfit as I wanted to take a look at them. Reaching the caves I saw smoke coming out of the volcanic rocks over a considerable extent of ground. I entered one of the caves and, finding a hole leading further back in to the mountain, I crawled in on my hands and knees, and seeing a reflected light ahead, I crawled towards it. By this time the opening was so small that I was forced to lie flat in order to get in. Finally I had gone as far as was possible and here saw that the light came up through a fissure about two feet wide. Looking down into the fissure I could see about sixty

feet but could not see from whence came the light as at that depth there was a bench or set-off and the fire was still further below and out of sight. To get back again I was obliged to use my toes to pull myself, and my hands to push. Coming out I saw the party approaching and spoke to the Major of what I had seen and asked if he did not want to investigate. Seeing the smoke coming out of the rocks—not very much—he replied, ‘No, we are near enough h—l now.’

“Without further incident we reached (old) Fort Wingate sometime in May, where we first heard of the assassination of President Lincoln. In due time we reached Albuquerque, where I remained for a time.”

The foregoing statement made by A. F. Banta gives a description of the second expedition under Major Willis and also an outline of the general conditions in the mountain camps around Prescott at the time of his arrival with the second expedition, and some of his subsequent experiences.

It does not appear in General Carleton’s letters, or elsewhere, that there was any suspicion that the Walker party were Confederates, for had their loyalty been suspected, they would all have been arrested in New Mexico and compelled to take the oath of allegiance, so it is probable that this portion of Mr. Banta’s statement was founded upon camp rumors.

D. E. Conner says the Walker party was about equally divided in sympathy between the North and South.

The two companies of California Volunteers sent out by General Carleton were expected to

meet Governor Goodwin's party at Los Tinos, from whence they would proceed to the new diggings. These companies waited for some time, and then received orders to go ahead and did so, arriving at Chino Valley a few weeks before the Governor's party, where they established Fort Whipple.

In an interview Fred G. Hughes, a well-known pioneer and old resident of Arizona, who subsequently held many positions, gave the following account of the trip of these troops to the new gold fields:

"The fall of 1863 found the California column, after its weary trip from California to the Rio Grande, scattered through Arizona and New Mexico, in full and undisputed possession of both territories so far as the southern Confederacy was concerned. The summer had passed principally in operations against the Apaches and Navajo Indians. The latter tribe was wealthy and possessed large herds of sheep and other stock; they were quickly whipped, and at the time at which this narrative commences, had succumbed, and were coming in and giving themselves up as prisoners of war, and were being sent to the Bosque Redondo reservation in New Mexico.

"During the summer a party of hardy prospectors and mountaineers from Colorado and California, under the lead of a noted trapper, named Captain Joe Walker, had pushed forward into the country around where the city of Prescott now stands, and had discovered rich gold placers. This new discovery had created excitement, and all that prevented a general stampede thereto was the difficulty of getting

there, there being three or four hundred miles of travel through the hostile Indian country to reach that locality.

"It was during the early part of this year that Congress had passed the act organizing the territory of Arizona and at the time of which I write the territorial officials had been appointed and were on their way out from Washington to their posts of duty. Governor John N. Goodwin, the head of the delegation, had decided to locate the capital of the new territory in the vicinity of the new gold discovery made by the Walker party. General Carleton, who was then in command of the department, also decided to locate a fort there, ostensibly to protect the miners against the Indians, but in reality to guard against organization in our rear, for it was known that most of the people going to the new discovery were sympathizers with the Confederacy. The company to which I then belonged was located at Fort Craig, on the Rio Grande, better known then as Val Verde, and we were detailed by General Carleton as one of two companies to proceed to the new discovery and locate the fort. We were first to proceed to Los Tinos on the Rio Grande, where we were to meet the new territorial officials and escort them through the Indian country to their destination. We reached Los Tinos in the middle of October, but the officials had not arrived, and after waiting for them about ten days, and they failing to appear, we were ordered to proceed to old Fort Wingate and await their arrival there. We proceeded to Wingate, and remained there a week or ten days and they not appearing,

and it growing late in the season, we were ordered to push on without them.

"Our expedition left Wingate on the 17th day of November (1863). It consisted of Companies 'C' and 'F' of the First California Volunteers, and some forty or fifty wagons, four-fifths of which were ox-teams. The winter proved to be exceedingly cold and stormy, and by the time we reached the Little Colorado, our oxen began to peg out. We had as yet had very little trouble with the Indians. At Inscription Rock they had stolen some horses from a party of citizens who were accompanying us, and who had ventured too far from the command, and struck a party of Navajoes under a chief named Nannelity, who had as yet refused to submit and come in off the warpath. By the time we reached the base of the San Francisco mountains our cattle were giving out and dying to such an extent that it became necessary to either destroy part of our stores, or cache them until the command could go on to its destination. The latter course was determined upon, and I was detailed to remain behind with ten men and guard the cache until they could return and relieve us. It was nearly a month before they returned. In the interim we enjoyed ourselves hunting to our hearts' content, for our camp was a veritable hunters' paradise. It was at a point then called Snider's Water Hole. Bear, elk, deer, antelope and turkey abounded in greater numbers than I have ever seen, either before or since. While hunting we would see Indians almost daily and being as we now were in Tonto or Hualapai Apache country, we knew them to be Apaches, and really

expected each day that our camp would be attacked. As we were in a new country, however, we concluded not to be the aggressors, at least not without cause. Two days before the party arrived to relieve us, an Indian appeared before our camp, and made signs that he wanted to come in. We brought him in, and he proved to be a Hualapai Apache. He stayed with us all day. We treated him well, and he left in the evening for his camp, apparently pleased with his visit. The next day two Indians came in, and that evening the relief party arrived. A Lieutenant Pomeroy was in command of the relief party and he had brought out all the mule teams of the command to relieve us. I related to him the circumstances of the Indians visiting our camp, and he told me they had passed a camp of two or three hundred Hualapais at a point called Rattlesnake Canyon two or three days out from Camp Clark, 'the new location for the fort,' and that the Indians were inclined to be peaceable. However, that night the herd was stampeded, every hoof taken, and one of our herders shot. The herder was shot with a Navajo arrow, and a couple of Navajo arrows were also picked up the next day on the ground from where the herd was taken. The morning after the stampede I arose early and taking the trail of our herd, followed it some six or eight miles, when I discovered some mules grazing in the timber about a mile ahead of me. The trail had thus far led in the direction of the Volunteer Springs, and toward the Navajo country. Being alone I did not feel like investigating the mules I had discovered too closely, feeling that if the Indians had halted so close to our camp

they were numerous enough to make it too interesting for me should I be discovered. So I returned to camp. I found upon my return that Lieutenant Pomeroy and his party had started back to Camp Clark with the intention of bringing out the ox-teams to relieve us.

"The next day we were surprised to have a train of four wagons pull into our camp, coming from the direction of the Rio Grande. They proved to be a party of Americans and Mexicans from Santa Fe and Albuquerque, en route to the new gold diggings. They had followed our trail out from the Rio Grande. They had laid over the day before to rest at some springs about ten miles from our camp, and it was without a doubt their mules I had seen the day previous. Jack Collins, a noted crack stage driver, who was afterwards killed by Apaches, near where the town of Pantano now stands, was at the head of the American party with this train. They had heard nothing of the Arizona officials before they left the river.

"It was about three weeks before the second party got back to relieve us, and in the meantime no Indians had visited our camp, nor had we seen any while hunting. The new relief party was commanded by Lieutenant Griff Taylor, afterwards a noted Prescottite. Taylor came with orders to relieve us, and on his return to attack the Hualapai camp at Rattlesnake Canyon. Evidently it was the impression that these Indians were the ones that stampeded our herd.

"I related to Taylor the circumstances of our herder being shot with a Navajo arrow, also the fact that the trail of our stolen herd led in the direction of the Navajo country, and that

there was every reason to believe that it was Navajoes and not Hualapais that had taken our herd. Under the circumstances, Taylor thought it would be unwise to attack the Hualapai rancheria, and decided, instead, if these Indians were still friendly when we passed there, to have them go into Camp Clark and make some kind of a treaty with them. Upon our reaching Rattlesnake Canyon, we found a rancheria of some two or three hundred Indians—men, women and children. They appeared peaceable and readily agreed to go into Camp Clark and make a treaty with us. So we proceeded on our journey without molesting them. Two or three days after our arrival at Camp Clark these Indians all came in, and Colonel Willis, the commanding officer, made a kind of a treaty with them. He told them to go back to their homes, and if they behaved themselves for a year our Government would likely make them some presents. We killed for them two or three of our old work oxen and the Indians started home apparently happy.

"I learned in the meantime that when we left our camp at Snider's Water Hole, one of the relief party had posted a notice on the pine trees there notifying parties to look out for Indians at that particular place. The notice was particularly addressed to the expected territorial officials. I notified Col. Willis of this fact, and of the trouble likely to ensue, should these officials, whom we expected daily, first find this notice and then encounter these Indians. He said he would send out a party to either meet the territorial party or take down the notice. Col. Willis was probably a little dilatory about this matter, and unfortunately the Arizona offi-

cials had reached the territory. They came accompanied by Col. Frank Chaves, with a company each of the New Mexican volunteers, and the Eleventh Missouri Cavalry, as escort. They found the notice posted at our old camp, and coming on had reached the rancheria at Rattlesnake Canyon just as the Indians were arriving from our peace conference. The result was they attacked the Indians, and killed about twenty of them. Of course this ended our peace with the Hualapais. The Indians, believing they had been treacherously dealt with, now commenced killing whenever a white man could be found, and many an old Hassayamper was made to fill a lonely grave as the result of that mistake. I afterwards learned that some of the mules drifted into the Navajo reservation at Bosque Redondo, showing, beyond a doubt, that it was Navajoes that had stolen them. In this instance, were the Hualapais wholly at fault for sounding the tocsin of war?

"This camp Clark, of which I speak in this letter, was the first capital of Arizona Territory. It was located at the point now known as Little Chino Valley, and remained there for three or four months before it was moved to Prescott. The 'Arizona Miner' was first published at this camp. The press had been brought out by R. C. McCormick, then secretary of the Territory and afterwards governor, and delegate to Congress. The 'Miner,' however, was edited by a man named Hand, the first numbers being printed on colored mapping paper. It was about a 12x20 single sheet and devoted principally to furthering the political ambitions of Secretary McCormick."

CHAPTER III.

TRAVELS OF GOVERNOR GOODWIN'S PARTY.

LETTERS OF JONATHAN RICHMOND, ONE OF THE PARTY—ORGANIZATION OF TERRITORY—AR- RIVAL AT FORT WHIPPLE—FORMAL PRO- CEEDINGS.

Governor Goodwin's party left Fort Larnard (Larned) in Nebraska, on October 15th, 1863. One of the members of his party was Jonathan Richmond, who came to Arizona under the promise from Judge Howell, that he would make him clerk of his court. This young man was a native of Grand Rapids, Michigan; was educated at a military school in New England; spent a year in Oriental waters on a merchantman from Boston; served two years in the Navy during the Civil War, and, after a short residence in Arizona, finally located and spent the balance of his life on a ranch in Shawnee County, Kansas. To Miss Rebecca L. Richmond, a relative of Jonathan, Arizona is indebted for the following letters which describe the course of the Governor's party from Fort Larned, Nebraska, to Fort Whipple, and happenings along the way:

“Fort Larned, Kansas,
“Tuesday, Oct. 13th, 1863.

“My dear Mother:

“We arrived here on Sunday about five p. m., and camped about a mile east of the Fort on a small creek (or mud hole rather) called Cow Creek. We found encamped here a train of twenty-eight wagons, drawn by two hundred and eighty oxen, and one company of Mo. Cavalry as an escort. They left Leavenworth a week

before we did and arrived here Saturday, when they were ordered to wait until our arrival here in order that we might move together, the Indians being very troublesome beyond here. There are now camped within a stone's throw of us, five hundred Indians who have lately arrived from the north of Texas. They are a savage looking tribe; the greater part are entirely naked, others being covered with pieces of buffalo skin. They have but very few guns; their principal weapons, both for game and warfare, being the bow and arrow. There are some among the tribe that talk our language fluently. About sunset every evening we go to see them shoot, putting up as an inducement, a piece of silver at about twenty rods distant, which will be brought down and claimed by one of the yellow skins at the second or third shot. They have been very inquisitive since our arrival, having made many inquiries as to our strength, number of soldiers, arms, etc. The Major commanding our escort, (i. e., Co. 'I,' 11th Mo. Cavalry, Co. 'H' 4th Mo. Cavalry), is very strict in his issue of orders and in having a strong guard at night. We should have proceeded on our journey to-day, but two of the soldiers in an attempt to desert, were captured, and are to be tried by summary court-martial to-day, (thus our detention). On Monday, 5th, we broke camp at Fort Riley, and, on Tuesday, we saw the first buffalo, which, to our disappointment, on arriving near, proved to be a tame one which was feeding with other cattle. On Wednesday saw a small buffalo calf. One of the soldiers separated it from a tame herd of cattle with which it was grazing, and killed it. Late in the



JONATHAN RICHMOND.

afternoon, just before camping, one of the soldiers in the advance dismounted by the roadside to light his pipe. After accomplishing the feat he threw the match down, and in less than a minute the prairie south of the road was a running fire. The wind was blowing fresh from the N. W. at the time, and the fire was not long in reaching and destroying the house, barn, out-buildings and six large stacks of hay belonging to a poor farmer living about a mile distant. About an hour after camping, the farmer appeared in camp, stating that he had lost everything. We went to work and soon collected five hundred dollars which we tendered him.

"On Thursday we routed a drove of fifty-seven buffalo, and in the lapse of an hour four lay dead, and were fast losing flesh in the shape of roasts, steaks, etc. On that night the buffalo meat over the camp fires scented the air for miles around.

"On Friday we had the good luck to kill three more, which has supplied us with buffalo meat for the trip. It is sliced up into small steaks and hung in the wagon to dry, when it is eaten raw or cooked, according to taste. We shall be out of the buffalo country tomorrow, but shall have abundance of game, such as antelope, deer, etc. Prairie chickens we have not had for over a week.

"The country through which we have come thus far is a vast prairie, not a tree to be seen for miles, a few only on the borders of some creek. Most of the grass along the road has been burned by the Indians in order to keep the buffalo off the track of the white man. We apprehend a great deal of trouble with the Indians between

here and the Raton mountains, and are making great preparations for a strong resistance. The ox train which accompanied us from here to Santa Fe, is loaded with guns and ammunition for the Regts. they intend raising there on our arrival. The trains combined will make sixty-eight wagons, three companies of Cavalry, and about seventy teamsters, besides our party of eighteen.

"Give much love to all.

"From your son,

"JONATHAN.

"P. S.—This is written in my tent on the bottom of a pail, and I trust you will excuse errors. Has Father written Mr. Wrightson?

"Please ask Mary to call on Mrs. Almy for me, and explain why I did not call as I promised. Mary may give her one of my ambrotypes."

"Fort Lyon (late Wise), Colorado,

"Tuesday, Oct. 27, 1863.

"Dear Father:

"I wrote from Fort Larned, giving a sketch of our travels thus far, and I now propose to give an account of our long stretch of two hundred and fifty miles from Larned to our present camp.

"On Thursday, Oct. 15th, at 6 a. m. broke camp and traveled sixteen miles, camping on Coon Creek, a short distance from the camp of the Prairie Apache Indians. We found but little wood on the creek, consequently had to eat cold 'grub.' During the night our camp was surrounded by wolves, which kept up a continual howl until early morn. Soon after daylight we spied a large buffalo. In the twinkling of an eye rifles were in hand and, after a short chase, the monster was brought to the ground by the

well-directed bullet of Atty. Gage. He had evidently been wounded by an arrow not long before we saw him.

"On Friday, traveled twenty-two miles and camped on the Arkansas River, which we found dry, but by digging a few feet in the bed of the river, found excellent water. Being out of the wood district, were obliged to use, as a substitute, buffalo 'chips,' which, to our surprise, made a better fire than the wood we had been using. The chief of a tribe of the Prairie Apaches stopped in camp over night.

"Saturday opened very cold, with strong northwest wind from the mountains. Broke camp at daylight. Saw this day many prairie dogs, small animals similar to our muskrat, which live in the river banks. About noon passed a train of ten ox wagons, bound west, and met a tribe of Indians moving East, probably to Fort Larned. At 4 p. m. camped on the Arkansas, having travelled twenty miles. Obliged to dig for water and use buffalo 'chips.'

"It is amusing enough after coming into camp to see all, from the Governor down, out on the prairie, bag in hand, collecting 'chips.' On Sunday saw several white wolves skulking about in the big grass. At 3 p. m., camped on the river, having moved twenty-five miles. Found plenty of water, but no wood. During the night a report was in circulation that there were 2,000 Texan rangers twenty-five miles in our advance. Travelled twenty miles on Monday. Met the stage carrying the United States mail. Very cold night. Tuesday walked most of the day, it being cold riding. No wood yet. Wednesday, one of the coldest days I have

experienced in a long time. After travelling twenty miles, passing several Indian encampments, we camped near the Big Tree of the Arkansas, the only tree between Larned and Lyon. Tuesday, the 22nd, very cold. Commenced snowing at eight and continued all day. The stage passed us, going west. Got Eastern papers—St. Louis Democrat and Kansas City papers—for the small sum of twenty-five cents each. Friday, found the river frozen, and were obliged to melt ice for cooking. Met a large train of Indians, bound east. Camped again on the Arkansas. Buffalo ‘chips’ getting scarce. Saturday, cold and windy. Met the stage bound east. At 3 p. m., we camped ten miles from Fort Lyon. On Sunday we arrived here, and have since been enjoying the luxury of wood fires, fresh beef, etc. The buildings—officers’ quarters, barracks, etc.,—are of stone, one story high, with mud roofs. They are said to be warm in winter, and agreeably cool in summer.

“There are about six hundred troops stationed here, mostly Colorado volunteers; three companies of cavalry, one of infantry, and two sections of battery. There are quite a number of tribes of Indians camped near, which are very troublesome. During the summer, when game is plenty, they do not hang around these parts, but as soon as winter approaches they come in, and manage to beg or steal their living until spring, when they resume their wild pursuits.

“Our party, the escort, the teamsters, and all attached to the party, have enjoyed excellent health and are in fine spirits. The killing of one of the teamsters by the assistant wagon-master

striking him over the head with a spade, is the only thing that has happened to mar the pleasure of the journey, thus far.

"The governor has a Santa Fe paper (*Elnoro Amejicano*) of the 17th of October, from which I have been reading an official report of Capt. N. J. Pishon, U. S. A., concerning the recent mining discoveries among the San Francisco mountains, 'Weaver's and Walker's District.' Capt. Pishon left Fort Craig, New Mexico, with his company, to escort Surveyor-General John A. Clark, to the newly discovered gold fields of Capt. Walker and party.

"The San Francisco mountains of Arizona lie north of the Gila, and from one hundred to two hundred miles east of the Colorado River. Pishon says in his report that the mines are far richer than any previously discovered. He was there twelve days, travelling and prospecting. Gold was found everywhere. No pan was washed out but yielded more or less of the yellow metal. A quantity of dirt—about two-thirds full of a flour sack—was washed and yielded \$8.75. The mining ground is known to extend one hundred and fifty miles, and Capt. Walker is confident that richer mines and more water for mining purposes exist further to the east, but he cannot venture into that country on account of the hostility of the Indians. Those whom they have encountered thus far are perfectly friendly, but the Tonto Apaches, who live just beyond, say that the whites shall not go into their country for any purpose whatever. The climate in the districts already discovered is said to be unequalled in California, being quite exempt from extremes of heat or cold.

The whole country is covered with grass, which, in the valleys, is most luxuriant. The mountains are covered with forest timber of great rarity, there being the white and black oak, hackberry, mulberry, walnut, pine, cedar, etc.

"There is plenty of game, deer, antelope, turkey, mountain sheep, etc. A soldier here, who was with Capt. Pishon in his prospecting tour, endorses the above report. He says at the time they left the country there were not more than forty or fifty men in both districts, but that they met at least three hundred more travelling towards the new 'El Dorado.' If all that I have read and heard be true—which I have no reason to doubt—I think it will do me good to go up there and turn over a few sods. What say you? Many of the men of our train intend going into the mines on our arrival.

"We leave for Fort Union tomorrow, crossing the Raton Mountains about eighty miles from here. Are afraid of finding snow. If successful, we shall arrive at Santa Fe, distant three hundred and thirty-four miles, in twenty days.

"Your son,
"JONATHAN."

"One hundred and four miles from Santa Fe.

"Fort Union, New Mexico.

"Nov. 9th, 1863.

"Dear Father:

"We have just camped, and are busy reloading wagons, and proceed westward in the morning.

"In my previous letters from the different Forts, (Riley, Larned, and Lyon), I gave you brief accounts of our journey thus far, my letters giving descriptions of travel from Lyon

to our present camp I shall have to omit until our arrival at Santa Fe, which is about four days' travel from here. I will merely state that we left Lyon in a heavy snowstorm, and consequently found no grass for mules and horses until we arrived at the foot of the mountains (four days), when we found forage. We lost two mules and one horse—died of colic.

"Have just been informed by Judge (Howell) that on our arrival at Santa Fe, after stopping a week or ten days, we proceed directly to the mines, (San Francisco Mountains). They now intend establishing the Capital at or near the mines instead of at Tucson. Everyone in the party is gold struck. The fever is raging furiously. Mules and Mexican ponies in Santa Fe bring \$200. Governor has letters here from responsible men stating that fortunes are daily made, etc. We shall purchase tools in Santa Fe. At Fort Lyon I wrote and sent receipts for \$40 which please send me at once as I need it for an outfit. Direct care of Judge Howell (Arizona party). We shall probably get our mail for the present at Tucson, Arizona, which is about one hundred miles from the mines. I write in haste. Much love to all.

"Your son,
"JONATHAN."

"Santa Fe, New Mexico,
"Nov. 22nd, 1863.

"Dear Father:

"We left Fort Lyon on Friday, Oct. 30th, in a heavy snowstorm, and on camping at five p. m., on the bank of the Arkansas, twenty miles from Lyon, found eight inches of snow. Saturday, 31st, pleasant, snow fast disappear-

ing. At ten o'clock passed Bent's Fort, an old trading post owned and occupied by Col. Bent, an old Indian trader (French), and crossed the Arkansas, fording it. Had a good meal of fresh venison and rabbit.

"Saturday, cold, with strong northwest wind; broke camp at seven, and took a last look at the 'Arkansaw'; steered south thirty-three miles, and camped at Iron Springs. No grass or wood to be had. Monday broke camp at seven and proceeded. Found the roads very bad, country broken and rocky; traveled thirty-three miles and camped at the 'Hole in the Prairie'; six mules sick and one horse died. No grass to be had and were obliged to give double allowance of corn. Tuesday, cold and windy, broke camp at the usual hour and proceeded; left two dead horses and one mule. At twelve o'clock arrived at the foot of the Raton Mountains at a small village called Picketware, in Colorado Territory, or 'Purgatory' as called by many. Camped early so as to make an early start on the morrow. Judge Howell and I feeling tired, put on a little style and concluded to take supper at a restaurant at 'Gray's Ranch,' instead of cooking our own meal in camp. On dinner being announced, we presented ourselves, and were soon engaged masticating what little grub lay before us. The bill of fare consisted of bear's meat, a few boiled beans, hard bread and coffee without sugar. What a luxury? Who would not sell a farm and come out here to board?

"We met at the table Judge Howard, formerly of Ann Arbor, and Atty. Hinsdell, of Kalamazoo, Michigan, cousin of Chester and Henry

Hinsdell of Grand Rapids. Judge Howard and Atty. Hinsdell have been in Colorado two or three years, making their headquarters at Denver. They were holding court at Gray's Ranch for a few days. I visited a man nearby who had been attacked and badly mangled a few days before by a cinnamon bear. The animal afterwards was killed, and weighed 800 lbs. He was a monster.

"Wednesday, broke camp at eight, and proceeded; at ten passed through a small Mexican town called Trinidad, or 'Peth' where two out of every three men starve to death. Saw many fresh bear tracks in our ascent, but had the good fortune not to meet the dreaded maker thereof. Camped at six p. m. at 'The Cabins' six miles below the summit. Found plenty of wood, pine, cedar, oak and cherry, and water of the purest kind. 'The Cabins' is a level place between two tall peaks, where a large train belonging to Russell & Majors was snowed in last winter. They were obliged to build a number of small tenements or cabins, whence the name of the pass, which still remain and are occupied by many a weary and grateful traveller. In one of the cabins we found the head of an Indian woman which had not long been severed from the body. It had been scalped, but the rings still remained in the ears.

"Thursday, Nov. 5th, at eight, broke camp and proceeded and at nine passed up the 'divide,' a hill one mile long, the division line between Colorado and New Mexico. Arrived on the summit; had a fine view of the Spanish Peaks lying to the northwest, and Pike's Peak, northeast, distant one hundred miles. In our de-

scent met a company of cavalry returning from Fort Union. They gave us gold news which furnished material for castle-building during the remainder of the journey. Passed through the 'Devil's Gate' at twelve o'clock. Camped at five p. m. at 'Truax's Rancho' on the Red River.

"Friday, Nov. 6th, pleasant. Proceeded on our march at eight a. m. Saw a large number of Mexican sheep which graze in the fertile valleys west of the mountains, and are guarded by herdsmen. Drove twenty-five miles through a broken country—high bluffs on either side, passing through what is called the 'canion.'

"Saturday. At twelve m. passed Maxwell's Rancho, said to be the finest building in New Mexico. Maxwell, an American, came out here when a boy, and on coming of age married the daughter of a wealthy herdsman. He and his father-in-law now own forty square miles of land, having 100,000 sheep and 1,000 horses, and, upon the question being put to him: 'How many cattle have you?' says he: 'You see them grazing yonder,' and so you may, scattered through a district of forty miles. He has a fine house, two stories, a flouring mill, and numerous out-buildings, corrals, etc. There are about a hundred of his herdsmen living in small mud huts close by. They are Mexicans and get from five to six dollars a month. At five p. m. camped at Rijo, a Mexican town built and owned by Maxwell, population two hundred, houses built mostly of 'dobies,' chunks of mud about the size of a brick.

"Sunday, 8th. Drove twenty-five miles, and camped at 'Ocate'; roads rough and hilly.

"Monday, Nov. 9th. Broke camp at seven and proceeded. Arrived at two p. m. at Fort Union, all in usual health, stock looking rather slim. Fort Union is the largest military post in New Mexico. General Carleton was present to receive us, and had all the arrangements made for our immediate advance. Leaving Fort Union, we averaged twenty-five miles travel every day, camping nights in or near some Mexican town. On the 12th camped at 'San Jose,' found all the inhabitants drunk. A party of Navajo Indians had visited them the day before, and driven off six thousand of their sheep. A few of the Mexicans had pursued the Indians and the remainder had got on a 'spree.' On Friday visited the ruins of 'Montezuma,' an old church in which a fire was kept up for upwards of two hundred years, with the hope that the tribe of Indians should thereby regain their chief, Montezuma, but who failed to return, having been killed by Cortez for his gold. This church is located on the road thirty miles east of this place (Santa Fe).

"Saturday, 14th. Arrived here, found the place about as we expected, built up of mud houses, mostly of one story. It is situated in a valley, but, strange to say, is watered by a stream of water not more than two feet in width. Wood is scarce, being brought from the mountains. Population not known, supposed to be in the neighborhood of six thousand.

"We leave here on Tuesday for the mines. Please direct as stated in the one accompanying. Have not time or convenience for writing the kind of a letter I wish, but trust for the future. Much love to all.

"Your son,
"JONATHAN."

“Pinos Ranch, New Mexico,
Nov. 26th, 1863.

“Dear Father:

“We left Santa Fe at noon to-day, and travelled fifteen miles, camping about sunset. On Tuesday, Captain McFarren (Quartermaster) of Santa Fe, learning that the Judge was from Michigan, called on him, having an interest in the state, i. e., twenty acres of land about half a mile from the city limits on Bridge Street, Grand Rapids, (east side). The Judge was unable to post him, and referred him to me. Mr. McFarren invited me to the office where he produced a map of the land. He said that it was an investment (through Major Backus, who was a very intimate friend and brother officer), in fifty-five. He has it in the hands of Ball & McKee. He wished to know of the parties, situation and probable value of the land. I told him, excepting value, not being posted very well on that score. He informed me that he paid one thousand dollars and hoped it would bring that. Now, provided he had a good title, which can be learned by calling on Ball & McKee (or writing McFarren), and you wish to invest, I think a thousand dollars would purchase. Look at it. Captain McFarren I found to be a very fine gentleman. He belongs, as did Major Backus, to the (regulars) U. S. A., and served with him several years in Mexico. He asked of Mrs. Gunnison, with whose husband, when living, he was well acquainted.

“In our conversation we brought up the mineral wealth of the Territories; the different mining companies, etc. He informed me that Major Backus and several others were interested in a

tract of land supposed to be rich with silver, (he was president of the company), but it did not amount to much, their capital being small and machinery high. The mines were probably the ones the Major, while living, was so anxious you should invest in.

"We leave here in the morning. Our mail is to be forwarded us from Santa Fe. Much love to all.

"Your son,
"JONATHAN."

"On our arrival in the mines, things looking well, I will write giving directions how to come should Uncle Fred and Abel, and Mr. Briggs think best. Things look bad at present. Most of Santa Fe moves towards the mines in the spring. Several miners from Pike's Peak joined us travelling for protection under our escort to the mines. Write, send papers."

"Fort Wingate, New Mexico,
"Tuesday, Dec. 15th, 1863.

"Dear Parents:

"We arrived here on Sunday, and have been waiting for the remainder of the train which we left on the 'Rio Grande' and which arrived today.

"We left Santa Fe on the 25th November, and on the 28th camped at Albuquerque on the Rio Grande, stopping eight days.

"Albuquerque is located in the rich, fertile valley of the Rio Grande which is irrigated at all seasons of the year. Wood is not to be found nearer than thirty miles, and when brought into market, brings from two to two and a half dollars a donkey load.

"The population of Albuquerque is about three thousand, mostly Mexicans, or, as termed in this country, 'greasers.' The males are a very degraded, lazy, ignorant set. An officer of a company stationed there told me he had seen men go to the market in the morning with one or two eggs, and lay there in the sun all day, and in the evening return home without a sale. Their price for a single egg is five cents.

"The women are industrious, doing all of the work about the house, in and out, bringing the wood and water, the latter they carry in large jars which they carry on their heads.

"While in the city we attended a fandango (as in Santa Fe) every night.

"We left Albuquerque on December 8th, crossing the Rio Grande three miles below without accident. Drove four miles down the east bank and camped at a Mexican town. Attended a 'baile' (fandango) in the evening, and on the following morning broke camp, leaving the Rio Grande, drove twenty-five miles, and camped. Found neither wood nor water. In the morning broke camp at two o'clock in order to get water by noon. Drove over a very heavy sandy road, the escort going ahead burning the grass and grease plants by the roadside in order that we could see to drive. At noon arrived at 'Sheep' spring, where we stopped to feed and water for one hour. Our drive at four p. m. brought us to a Mexican town, where we camped and, as has been our custom in all Mexican towns, attended a fandango. Two more drives of twenty-five miles brought us here.

"On Saturday noon we passed through the 'pueblo' village 'Laguna' (an Indian village of

three thousand inhabitants) where we stopped two hours, and witnessed a feast dance which had been going on for several days. It surpassed anything I have ever seen or read of. There were several hundred dancers dressed in their war costumes, dancing to the music of a drum, howling, etc. I will not undertake to describe it, but should I be spared to return, you shall have it as it was.

"We leave here in a few days, having three companies to act as escort through the Navajo country. The Navajoes are constantly attacking parties who go out in the mountains for wood. The day we arrived here, two men were shot but two miles from the fort. I have an arrow which was shot into a horse last night in the corral (horse yard).

"There is not much danger of our being attacked as the Indians care only for plunder. They crawl along through the grass where stock is herded, and drive them off. Since this fort has been established, about six months, they have lost by the Indians several hundred head of stock, and some ten or fifteen men, mostly herd-ers. This is the last fort we stop at before reaching the mines. Fort Whipple is probably established by this time in that vicinity, several companies having gone there a few weeks since. We pass through but one village, that 'Zuni' an Indian (pueblo) village, eighty miles from this post. There we shall find white Indians (albinos). Judge Howard, of Colorado, formerly of Ann Arbor, and Jinks of Saranac, or Boston, are with the train, and many others, miners and fortune seekers.

"I feel as though you had forgotten where I am, not having received but two letters since leaving home, Sept. 7th. Those I received at Santa Fe, dated Sept. 14th and 27th, the latter dated the day we left the States. There is to be an express (military), sent twice a month to Fort Whipple, Arizona, from Santa Fe this winter, but in the spring a mail route will probably be established. We are hungry for news. Write, write, write. Much love to all.

"Your son,

"JONATHAN."

"Mail leaves Leavenworth, Kansas, on Friday morning for Santa Fe. Mail letters on Monday and they will reach Leavenworth in time for Santa Fe mail, I think. Enquire! Please address as on the other side. Some mistake may have been made by letters going to California. The express which General Carleton proposes to send twice a month is to be carried on horse back and consequently newspapers will not be forwarded from Santa Fe with *full* mails. The mail for Santa Fe leaves Leavenworth every *Friday* morning instead of Monday as I wrote before. It goes through to Santa Fe in thirteen days.

"JONATHAN."

"Address as follows:

"J. Richmond, Esq.,

"Care of Gov. Goodwin, Arizona party.

"Care of Genl. Carleton, Santa Fe, N. M.

"Via Leavenworth & Santa Fe, N. M."

TRAVELS OF GOVERNOR GOODWIN'S PARTY. 65

"Navajo Springs, Arizona,
"Dec. 29th, 1863.

"Dear Parents:

"We arrived here to-day, and the Governor has issued his proclamation, a copy of which I enclose. This is the first point which we know is in Arizona Territory. I bought me a burro (jackass) at Zuni. Shall not reach Fort Whipple before January 20th, 1864. Will write at length on our arrival. This goes to Wingate by military express (one of our soldiers), in the morning. All well. Love to all.

"Your son,
"JONATHAN."

"We move in the morning."

"Fort Whipple, Arizona,
"Jany. 27th, 1864.

"Dear Parents:

"Our arrival here was announced by the firing of a Governor's salute of eighteen guns on the morning of the 22nd. Offers of prayers and thanksgiving should have been made, but upon viewing the site which Major Willis, (who, with three companies, preceded us two weeks) had selected for a military post, and, if suitable, for a capitol, we concluded to let the thing slide. We are located about two hundred and sixty miles northwest of Tucson, and about ninety miles west of the San Francisco mountains on a small stream of water supposed to be, and, for the present, called the head waters of the San Francisco river. The climate is mild as in the States in June. We all go about in our shirt sleeves during the day, but at sundown an overcoat is very comfortable, (*you bet*), Missouri

word. I cannot give you a full and correct log of our travel until we are located, having no place as convenient as I would wish for using my pen and ink. (My position at the present moment is under a wagonsheet, stretched between two wagons.) The grass, which, by the way, is a very important item in the location of a fort, especially at this season of the year, is very good about here, and the stock (some six hundred head) are recruiting fast, much to the delight of our Quartermaster, who has experienced some heavy losses during the trip. The nearest wood is two miles.

"The mines are twenty-five miles from here, but there are a few cabins eighteen miles. The Antelope Diggings are sixty miles, all on the Tucson road. There are some who have very rich claims, but the want of water prevents their working them at present. Large tanks are being made on the summit of the mountain to be ready for the spring rains. Morehouse, brother of B. & F., who are with us, arrived yesterday from Tucson. He takes Mr. Wrightson's goods and with the boys proceeds to the Santa Rita mines. He has specimens of gold which he picked out with his knife while on his way up.

"On our arrival we noticed several individuals who were very anxious to form the acquaintance of the officials and others of the party, and who are now known as being candidates for Delegate to Congress. There are some twenty or more now at Tucson who make no bones of the wished for position. Most of the candidates, I understand, are from California.

"The outfit for the present (probably two months) remains here. The Governor, with a

TRAVELS OF GOVERNOR GOODWIN'S PARTY. 67

party, start on an expedition with pack mules in search of a site for the capitol the first of the week. They will go down on the Salinas river and from there west to the Colorado. Judge Howell goes at the earliest opportunity to Tucson, where, it is said, business is awaiting him. I go into the mines on Monday, packing my jackass with a month's provisions, thinking by that time to be able to judge whether mining will pay. I may go to Tucson during the term of court which will be in March. On the 19th inst., B. Morehouse and myself, with several Mexicans, had a fight with a party of Tonto Apaches, killing two on the spot, and wounding two so badly that they are probably dead before this. Judge says he intends writing the "Eagle" on the fight.

"I captured one horse, a quiver of arrows and a number of smaller articles. I have not received a letter since I left the Valley City excepting the two received at Santa Fe under date of Sept. 14th and 27th. How is it? Upon leaving home I promised to write at every opportunity and I think I have not only kept that but many other promises given and resolutions formed. A weekly military express is to be forwarded to this place by General Carleton; one has already arrived, mail in abundance for all but me. I do not know when I shall have a chance to write again, as I go to the diggings Monday.

"Write! Write!! Write!!! care of Governor Goodwin, Fort Whipple, Arizona Territory.
Love to all.

"Your son,
"JONATHAN."

On the 25th of September, (1863) the Governor, Secretary, Judges Howell and Allyn, District Attorney Gage and Surveyor General Bashford, and their party left Leavenworth. Chief Justice Turner overtook the company at Fort Larned.

From Leavenworth to Fort Union, New Mexico, the officials were attended by three companies of Missouri troops. Companies A and H of the Volunteer Cavalry, and Company I of the 4th Militia Cavalry of that State, respectively commanded by Lieut. Peter F. Clark, Captain John H. Butcher, and Captain Daniel Rice, and all under the command of Major James A. Philips of Kansas.

From Fort Union Company A of the Cavalry and the Militia Company returned to Kansas, under Major Philips. Company H of the Cavalry, Captain Butcher, accompanied the Governor and party to Santa Fe. At Albuquerque thirty men of Company E of the First New Mexican Volunteers, under Captain Chacon, were added to the escort, and the entire command was given to Lieut. Colonel Francisco Chaves, of that regiment. At Fort Wingate, nine men of Company C, First California Infantry Volunteers under Sergeant McCormick, desirous of joining their company at Fort Whipple, were added to the command. All came through without accident, although some suffered from the cold, the weather being very severe, and portions of the road obstructed with snow.

The party travelled via Forts Riley, Larned, Lyon and Union, making brief stoppages at each of those points, and reached Santa Fe on the

14th of November. They left Santa Fe on the 26th of that month, and arrived at Albuquerque on the 28th. They left Albuquerque on the 8th of December and reached Fort Wingate on the 13th of that month. Leaving there on the 20th, they reached Fort Whipple, via the 35th parallel, or Whipple route, to the San Francisco Mountains, and the Pishon road from that point, at noon on the 22nd of January. Secretary McCormick and Judge Allyn, with a squad of California Volunteers, left the main party at Volunteer Springs, near the San Francisco Mountains, on the morning of the 16th and arrived at Fort Whipple on the 17th of that month.

The officers entered the Territory on the 27th of December, and the government was formally inaugurated at Navajo Springs, 40 miles west of Zuni, on Tuesday the 29th of December. At 4 o'clock p. m. the escort and citizens were assembled, and Secretary McCormick spoke as follows:

"Gentlemen:—As the properly qualified officer, it becomes my duty to inaugurate the proceedings of the day. After a long and trying journey, we have arrived within the limits of the Territory of Arizona. These broad plains and hills form a part of the district over which, as the representatives of the United States, we are to establish a civil government. Happily, although claimed by those now in hostility to the Federal arms, we take possession of the Territory without resort to military force. The flag, which I hoist in token of our authority, is no new and untried banner. For nearly a century it has been the recognized, the honored, the loved emblem of law and liberty. From Can-

ada to Mexico, from the Atlantic to the Pacific millions of strong arms are raised in its defense, and above the efforts of all foreign or domestic foes, it is destined to live untarnished and transcendent."

At the conclusion of these remarks, Mr. McCormick hoisted the "Stars and Stripes" and called for cheers for them, which were given with a will. Prayer was then offered by the Rev. H. W. Read. The oath of office was administered to Chief Justice Turner, and to Associate Justices Howell, and Allyn, by Mr. McCormick. Governor Goodwin and District Attorney Gage qualified before Chief Justice Turner.

A proclamation by the Governor, which is here reproduced, was read in English by Mr. McCormick, and in Spanish by Mr. Read.

Fort Whipple had been established a month previous to the arrival of the Territorial officers, by Major E. B. Willis, of the First California Infantry, under the order of Brigadier-General James H. Carleton, commanding the Military Department of New Mexico.

PROCLAMATION.



TO THE PEOPLE OF ARIZONA:

I, JOHN N. GOODWIN, having been appointed by the President of the United States, and duly qualified, as Governor of the TERRITORY OF ARIZONA, do hereby announce that by virtue of the powers with which I am invested by an Act of the Congress of the United States, providing a temporary government for the Territory, I shall this day proceed to organize said government. The provisions of the Act, and all laws and enactments established thereby, will be enforced by the proper Territorial officers from and after this date.

A preliminary census will forthwith be taken, and thereafter the Judicial Districts will be formed, and an election of members of the Legislative Assembly, and the other officers, provided by the Act, be ordered.

I invoke the aid and co-operation of all citizens of the Territory in my efforts to establish a government whereby the security of life and property will be maintained throughout its limits, and its varied resources be rapidly and successfully developed.

The seat of government will be at Fort Whipple or near Fort Whipple. JOHN N. GOODWIN.

By the Governor

RICHARD C. McCORMICK,

Navajo Springs Secretary of the Territory.

FOURTH FLOOR, ARIZONA,

December 9, 1862.



CHAPTER IV.

EARLY TERRITORIAL DAYS.

GOVERNOR GOODWIN'S SWING AROUND THE CIRCLE
—**PROCLAMATION ORGANIZING TUCSON AS
A MUNICIPALITY** — **PROCLAMATION SETTING
TIME FOR ELECTION OF DELEGATES TO CON-
GRESS AND MEMBERS OF FIRST TERRITORIAL
LEGISLATURE** — **ORGANIC ACT** — **RESULT OF
FIRST VOTE FOR DELEGATE TO CONGRESS**—
CHARLES D. POSTON—**CHARLES LEIB**—**WILL-
IAM D. BRADSHAW**—**S. ADAMS**—**WM. J.
BERRY**—**LIST OF MEMBERS OF FIRST LEGISLA-
TURE**—**COLES BASHFORD**—**W. CLAUDE JONES**
—**FORMATION OF COUNTIES**—**SCHOOLS.**

The Governor spent a month in visiting the newly discovered mining district for the protection of which Fort Whipple had been erected, and then went eastward to the Verde and Salinas Rivers with a view to ascertaining the character of that comparatively unknown portion of the Territory.

The months of April and May were devoted by the Governor to a tour throughout the southern portion of the Territory, on which trip the Governor visited Yuma and Tucson, and while at Tucson issued the following proclamation:

"To All Whom It May Concern:

"In accordance with the request made to me by the citizens of Tucson, and in pursuance of the resolutions adopted by them, at a meeting held on the 8th day of May, 1864, I appoint Wm. S. Oury, Mayor, and Mark Aldrich, Juan Elias, Sen., Hiram S. Stevens, Francisco S. Leon, and Jeremiah Riordan, Councillors.

"And the municipality of Tucson, as defined in said resolutions, and limited by said officers, is constituted a district within which said officers may exercise all the powers with which they are vested.

"Every attempt made to establish government and law will receive my approval and support.

"I enjoin all good citizens to conform to all regulations and ordinances made by said officers within the scope of their powers, and to sustain them in establishing law and order.

"Given under my hand and the seal of said Territory at Tucson, this eleventh day of May, A. D. 1864, and of the Independence of the United States the eighty-eighth."

"JOHN N. GOODWIN.

"By the Governor:

"Richard C. McCormick,

"Secretary of the Territory."

So far as I am advised, Tucson was the first town ever incorporated by a Governor of a State or Territory, independent of other legislation.

The first seat of Government was located at Fort Whipple in the Little Chino Valley, from which point the Governor issued the following proclamation:

"To All Whom It May Concern:

"Whereas, It is provided by the first section of the Act of Congress, providing a temporary government for the Territory of Arizona, that the act organizing the Territorial Government of New Mexico, and acts amendatory thereto, together with all legislative enactments of the Territory of New Mexico, not inconsistent with the provisions of the first-named act, are extended to, and continued in force in said Territory

of Arizona, until repealed or amended by future legislation.

“And, Whereas, it is provided by the tenth Section of said act, organizing the Territory of New Mexico, that the said Territory shall be divided into three Judicial Districts, and a District Court shall be held in each of said Districts by one of the Justices of the Supreme Court, at such time and place as may be prescribed by law; and by the sixteenth section of said act, it is further provided, that temporarily, and until otherwise provided by law, the Governor of said Territory may define the Judicial Districts of said Territory, and assign the Judges who may be appointed for said Territory to the several Districts, and also appoint the time and places for holding Courts, in the several counties, or subdivisions, in each of said Judicial Districts, by proclamation to be issued by him.

“Now, by virtue of the aforesaid enactments, I do hereby order and direct, that until otherwise provided, the Territory of Arizona shall be Districted, the Judges assigned and the Courts held as follows, viz.:

“All that portion of said Territory lying south of the Gila River, and east of the 114th degree of longitude, west from Greenwich, shall constitute the First Judicial District.

“All that portion of said Territory lying west of the 114th degree of longitude, west from Greenwich, shall constitute the Second Judicial District.

“And all that portion of said Territory lying north of the Gila River and east of the 114th degree of longitude, west from Greenwich, shall constitute the Third Judicial District.

"The Hon. William T. Howell is hereby assigned to the First Judicial District, and will hold the courts therein.

"The Hon. Joseph P. Allyn is hereby assigned to the Second Judicial District, and will hold the courts therein.

"The Hon. William F. Turner is hereby assigned to the Third Judicial District, and will hold the courts therein.

"In the First Judicial District, a District Court of the United States, for said District, shall be held at Tucson, commencing on the last Tuesday of May next, and to continue two weeks; and the second term of said Court, for said District, shall be held at Tucson, commencing on the last Tuesday of October next, and to continue two weeks.

"In the Second Judicial District, a District Court of the United States, for said District, shall be held at La Paz, commencing on the last Tuesday of June next, and to continue two weeks; and a second term of said Court, for said District, shall be held at La Paz, commencing on the last Tuesday of November next, and to continue two weeks.

"The times and places for holding terms of the District Court, in the Third Judicial District, will be designated in a subsequent proclamation.

"Given under my hand and the Seal of said Territory, at Fort Whipple, this ninth day of April, A. D. 1864, and of the Independence of the United States of America, the eighty-eighth.

"JOHN N. GOODWIN.

"By the Governor:

"RICHARD C. MCCORMICK,

"Secretary of the Territory."

On the 26th day of May, the Governor issued a proclamation ordering an election for members of the Legislature of the Territory, which is as follows:

"To All Whom It May Concern:

"Whereas, In and by the second Section of an act of the Congress of the United States, entitled 'An Act to provide a temporary government for the Territory of Arizona, and for other purposes,' approved February 24, 1863, it is enacted 'That the legislative power shall consist of a Council of nine members, and a House of Representatives of eighteen.'

"And Whereas, In the same Section it is further enacted that 'The Act organizing the Territory of New Mexico, and acts amendatory thereto, together with all legislative enactments of the Territory of New Mexico, not inconsistent with this act, are in force in the said Territory of Arizona, until repealed, or annulled by future legislation.'

"And Whereas, In and by the fifth Section of said act organizing the Territory of New Mexico, it is enacted that 'An apportionment shall be made, as nearly equal as practicable, among the several counties or districts, for the election of the Council and House of Representatives, giving to each section of the Territory representation in the ratio of its population, (Indians excepted) as nearly as may be. And the members of the Council and of the House of Representatives shall reside in, and be inhabitants of the district for which they may be elected respectively. Previous to the first election, the Governor shall cause a census or enumeration of the inhabitants of the several counties and dis-

tricts of the Territory to be taken, and the first election shall be held at such time and places, and be conducted in such manner as the Governor shall appoint and direct; and he shall, at the same time declare the number of members of the Council and House of Representatives to which each of the counties or districts shall be entitled under this act. The number of persons authorized to be elected, having the highest number of votes in each of said council districts, for members of the Council, shall be declared by the Governor to be duly elected to the Council; and the person, or persons, authorized to be elected, having the greatest number of votes for the House of Representatives, equal to the number to which each county or district shall be entitled, shall be declared by the Governor to be duly elected members of the House of Representatives. Provided, that in case of a tie between two or more persons voted for, the Governor shall order a new election to supply the vacancy made by such tie. And the persons thus elected to the Legislative Assembly shall meet at such place and on such day as the Governor shall appoint.'

"And, Whereas, by the eighth Section of the said act it is enacted that in the first instance the Governor alone may appoint all officers not herein otherwise provided for who shall hold their offices until the end of the first session of the Legislative Assembly, and shall lay off all necessary districts for members of the Council and House of Representatives, and all other officers.

"And, Whereas, It is enacted by the fourteenth section of said act, that a Delegate to the

House of Representatives of the United States, to serve during each Congress of the United States, may be elected by the voters qualified to elect members of the Legislative Assembly, who shall be entitled to the same rights and privileges as are exercised and enjoyed by the delegates from the several other Territories of the United States to the said House of Representatives. The first election shall be held at such time and places, and be conducted in such manner as the Governor shall appoint and direct; and at all subsequent elections the times, places and manner of holding the elections, shall be prescribed by law. The person having the greatest number of votes shall be declared by the Governor to be duly elected, and a certificate thereof shall be given accordingly.

"Now, in pursuance of the duty enjoined upon me, as aforesaid, the said census having been taken and returned, I hereby order and direct that an election be held on Monday, the 18th day of July next, between the hours of eight o'clock, a. m., and six o'clock p. m., at such places as are hereinafter indicated, by the qualified voters of the Territory of Arizona, who shall choose by ballot, one delegate to represent the people of Arizona in the House of Representatives of the thirty-eighth Congress of the United States.

"And the qualified voters residing in the several Council Districts shall choose, by ballot, at the time above named and at such places as are hereinafter indicated, such number of Councilmen and Representatives as said districts may be entitled to as follows, viz.:

"The First Council District is composed of all that portion of said Territory comprised within

the limits of the First Judicial District, as defined by my proclamation defining Judicial Districts, dated April 9th, 1864. This district will be entitled to elect four Councilmen, and nine Representatives.

"Precinct No. 1—Tucson and vicinity. Polls to be held at the District courtroom, in Tucson.

"Precinct No. 2—Cerro Colorado Mine and vicinity, including Tubac, and the Revanton. Polls to be held at the office of Elihu Baker, at the Cerro Colorado Mine.

"Precinct No. 3—Patagonia Mine and vicinity, including San Antonio and Santa Cruz Mines. Polls to be held at the house of E. K. Brown, at the Patagonia Mine.

"Precinct No. 4—Pima Villages and vicinity. Polls to be held at A. M. White's store, at Pima Villages.

"The Second Council District is comprised within the limits of the Second Judicial District, as defined by my proclamation aforesaid. This District will be entitled to elect two Councilmen and five Representatives.

"Precinct No. 1—Arizona City and vicinity, including La Laguna. Polls at the store of George F. Hooper & Co., in Arizona City.

"Precinct No. 2—Patoto, including the Eureka and Silver Mining Districts, and Castle Dome. Polls at the Recorder's office of the Castle Dome Mining District.

"Precinct No. 3—La Paz and vicinity, including Mineral City, Olive City, and the Mining Districts of La Paz, Weaver and Williams' Fork. Polls to be held at the house of G. M. Holaday, at La Paz.

"Precinct No. 4—San Francisco Mining District, including Fort Mohave and Hardy's Landing. Polls at the office of T. Scott Stewart, Recorder of the Mining District.

"Precinct No. 5—The Colorado Mining District, including El Dorado Canon. Polls to be held at the Recorder's office of the Mining District.

"The Third Council District is composed of all that portion of said Territory comprised within the limits of the Third Judicial District, as defined by my proclamation aforesaid. This district will be entitled to elect 3 Councilmen and 4 Representatives.

"Precinct No. 1—Agua Caliente and vicinity. Polls at the house of George Martin.

"Precinct No. 2—Weaver and ranches in the vicinity, including Lower Hassayampa, Indian Creek and Antelope Diggings. Polls at the store of B. F. Howell, in Weaver.

"Precinct No. 3—Prescott, Fort Whipple, and vicinity, Goodwin, Groom's Creek, and Upper Hassayampa. Polls to be held at the house of Dr. T. P. Seeley, in Prescott.

"Precinct No. 4—Walker's, Lynx Creek, Woolsey's Ranch, Big Bug, and Bradshaw's Diggings. Polls to be held at the house of Clinton & Baxter, on Lynx Creek.

"The following is a list, so far as appointed, of the Judges of election for the several election precincts:

"For the First District:

"Precinct No. 1—Charles T. Hayden, William J. Osborne, John G. Capron.

"Precinct No. 2—Elihu Baker, Clark Sweetner, N. S. Higgins.

"Precinct No. 3—E. K. Brown, Thos. M. Yerkes, Jos. H. Smith.

"Precinct No. 4—J. A. Owens, E. S. Noyes, J. D. Walker.

"For the Second District:

"Precinct No. 1—Francis Hinton, W. A. Werringer, G. W. Jones.

"Precinct No. 2—Wm. Butterfield, T. J. Bidwell, J. Snively.

"Precinct No. 3—Charles H. Brinley, Charles A. Phillips, Wilbur Curtis.

"Precinct No. 4—T. Scott Stewart, C. W. C. Rowell, E. D. Tuttle.

"Precinct No. 5—The Judges will be chosen by the electors.

"For the Third District:

"Precinct No. 1—Geo. Martin, A. Weatherbee, Mr. Larkin.

"Precinct No. 2—B. F. Howell, William R. Murray, James A. Moore.

"Precinct No. 3—Robert W. Groom, Chas. M. Dorman, James G. Sheldon.

"Precinct No. 4—Geo. Coulter, Jackson McCrackin, Joseph R. Walker.

"The election, at the several polls, shall be opened, organized, and conducted in the following manner, viz.:

"There shall be three Judges of Election at each poll, whose duty shall be to receive all legal votes offered, for all or any of the candidates to be voted for, and to judge of the competency of voters. The said Judges, before entering upon their duties, shall each take an oath, in the following form, to wit:

"I A. B., do solemnly swear, (or affirm, as the case may be,) that I will perform the duties

of Judge of this Election, according to law, and to the best of my ability, and that I will strictly endeavor to prevent fraud and abuse in conducting the same.'

"Said oath shall be administered by any person authorized to administer oaths, (if any such be present,) if not, then the judges may administer the oath to each other, and a similar oath to the two clerks of the election, whom they are authorized and empowered to appoint; and the person administering oaths shall cause an entry thereof to be made and subscribed by him, and prefixed to the poll-books. It is hereby further ordered and directed, that in case any of the Judges, appointed for any of the districts, do not appear and qualify, as above directed, or in case the Judges for any district are not named, then the voters first appearing, at the hour appointed, to the number of five, or more, shall choose three competent persons as Judges of Election, for said precinct, who shall take the oaths above required, and proceed to appoint two competent persons to act as Clerks of said precinct.

"It is further ordered and directed, that the Clerks of each election precinct, shall each keep a list of the names of all persons voting in their respective districts, and each voter, as he offers his vote, shall announce his name in an audible voice to the Judge, or Judges, who receive his vote, and they shall announce it to the Clerks and shall not receive any other vote until the Clerks shall declare the name of such voter written.

"The ballots may be written or printed, and shall contain the name of the candidate, and of his office, in full.

"It is further ordered and directed, that the constables of the several districts, (if there be any,) shall attend the election in the precinct where they reside for the purpose of preserving the public peace; and if none attend, then the Judges shall appoint one or more special constables, not exceeding five in number, to perform that duty. And the said constables shall, when directed by the said Judges, summarily arrest any disorderly person interrupting the proceedings of said meeting, or committing a breach of the peace, and detain him in custody, (but not depriving him of the right to vote, if he be a legal voter), until the adjournment of said meeting, when said Judges shall make complaint against him before the proper officer, and cause him to be tried for the offense.

"The polls shall be kept open until six o'clock p. m. of the day of election, and immediately after the polls are declared closed by the Judges of said election, they shall proceed publicly to examine and count the votes, and see if the votes cast agree in number with the poll lists kept by the Clerks, and if the votes so cast shall exceed in number the names on the poll list, the Judges, or some one of them, shall take indiscriminately from the ballots, a number sufficient to make the ballots and poll lists agree.

"After the public counting and examining of the votes, the Judges shall proceed to open and canvass, publicly, all the ballots cast, and shall read, in an audible voice, all the names on each ballot, and shall count the number given for each candidate. And the Clerks shall set down in their poll books, the name of the person voted

for, written at full length, the office for which such person received such vote, or votes, and the number he received, the number being expressed at full length. Such entry to be made, as near as may be, in the following form, viz:

“ ‘At an election held at the house of at in the Council District, of the Territory of Arizona on the eighteenth day of July, A. D. 1864, the following named persons received the number of votes annexed to their respective names, for the following described offices, to wit:

“ ‘A. B. had votes for Delegate to Congress.

“ ‘C. D. had votes for Member of the Council.

“ ‘E. F. had votes for Member of the House of Representatives.

“ ‘Certified by us,

“ ‘A. B.,

“ ‘C. D.,

“ ‘E. F.,

“ ‘Judges of Election.

“ ‘Attest:

“ ‘G. H.,

“ ‘I. J., Clerks of Election.’

“ The Judges of Election shall then enclose and seal one of the poll-books under cover, directed to the Secretary of the Territory, and the packet thus sealed, shall be conveyed by one of the Judges or Clerks of the Election, to be determined by lot, if they cannot otherwise agree, and sworn to the performance of that duty by one of the Judges, and delivered to the Judge of Probate of the district in which such precinct

is situated, or if the Judge of Probate be absent, to the Sheriff of said district, within ten days after said day of election, and the said Judge of Probate, or Sheriff, shall, within ten days after said poll-books may be delivered to him, and within twenty days after said day of election, deliver the same to the Secretary of the Territory.

“And the Judges of Election shall then enclose and seal the other poll-book, under cover, directed to the Judge of Probate of the district in which the precinct may be, and the packet thus sealed should be conveyed by one of said Judges, or Clerks, as aforesaid, to said Judge of Probate, within the time above mentioned, and shall be deposited in his office subject to the inspection of any elector who may wish to examine it.

“And if any Judge or Clerk of any Election, at which he shall have sworn as Judge or Clerk to carry the poll-books as aforesaid, shall fail or neglect to deliver said poll-books, as aforesaid, he shall, for such offense, forfeit and pay the sum of five hundred dollars, for the use of the Territory, to be recovered by an action of debt in the name of the Territory, in the proper District Court.

“And, whereas, certain legal voters of this Territory are now engaged in a campaign against the hostile Indians, such persons shall have the right to vote for all officers for whom they could legally vote in their respective precincts, in the manner following:

“They shall, on the day of election, at the time herein fixed for the opening of the polls, proceed to elect three Judges of Election, who shall im-

mediately give public notice of the hour of such day, and the place, when and where they will open the polls, and they shall appoint Clerks, and shall receive, canvass, and record the votes, and conduct the election, as nearly as may be, in conformity to the foregoing provisions; and shall, in like manner, cause to be delivered to the Secretary of the Territory, the poll-books, kept, certified, and sealed up in accordance with these provisions, and in the manner hereinbefore provided.

“Given under my hand, and the Seal of said Territory, at Fort Whipple, this twenty-sixth day of May, A. D. 1864, and of the Independence of the United States of America the eighty-eighth.

“JOHN N. GOODWIN.

“By the Governor:

“RICHARD C. McCORMICK,

“Secretary of the Territory.”

The Act referred to by Governor Goodwin in the foregoing proclamation is as follows:

“AN ACT to provide a temporary government for the Territory of Arizona, and for other purposes.

“Be It Enacted by the Senate and House of Representatives of the United States of America, in Congress Assembled: That all that part of the present Territory of New Mexico situate west of a line running due south from the point where the southwest corner of the Territory of Colorado joins the northern boundary of the Territory of New Mexico to the southern boundary line of said Territory of New Mexico,

be, and the same is hereby, erected into a temporary government by the name of the Territory of Arizona: Provided, that nothing contained in the provisions of this act shall be construed to prohibit the Congress of the United States from dividing said Territory or changing its boundaries in such manner and at such time as it may deem proper: Provided, further, that said government shall be maintained and continued until such time as the people residing in said Territory shall, with the consent of Congress, form a State government, republican in form, as prescribed in the Constitution of the United States, and apply for and obtain admission into the Union as a State, on an equal footing with the original States.

"Sec. 2. And be it further enacted, that the government hereby authorized shall consist of an executive, legislative and judicial power. The executive power shall be vested in a governor. The legislative power shall consist of a council of nine members, and a house of representatives of eighteen. The judicial power shall be vested in a supreme court, to consist of three judges, and such inferior courts as the Legislative Council may by law prescribe; there shall also be a secretary, a marshal, a district-attorney, and a surveyor-general for said Territory, who, together with the governor and judges of the supreme court, shall be appointed by the President, by and with the advice and consent of the Senate, and the term of office for each, the manner of their appointment, and the powers, duties, and compensation of the governor, legislative assembly, judges of the supreme

court, secretary, marshal, district attorney, and surveyor-general aforesaid, with their clerks, draughtsmen, deputies, and sergeant-at-arms, shall be such as are conferred upon the same officers by the act organizing the Territorial government of New Mexico, which subordinate officers shall be appointed in the same manner, and not exceed in number those created by said act, and acts amendatory thereto, together with all legislative enactments of the Territory of New Mexico not inconsistent with the provisions of this act, are hereby extended to and continued in force in the said Territory of Arizona, until repealed or amended by future legislation: Provided, that no salary shall be due or paid the officers created by this act until they have entered upon the duties of their respective offices within the said Territory.

“Sec. 3. And be it further enacted, that there shall neither be slavery nor involuntary servitude in the said Territory, otherwise than in the punishment of crimes, whereof the parties shall have been duly convicted; and all acts, and parts of acts, either of Congress or of the Territory of New Mexico, establishing, regulating, or in any way recognizing the relation of master and slave in said Territory, are hereby repealed.

“Approved Feb. 24, 1863.”

On the 18th of July, 1864, the election was held. There were five candidates for Delegate to Congress, and Charles D. Poston, Superintendent of Indian Affairs, was, according to the Fish manuscript, elected by the following vote:

C. D. Poston.	Charles Leib.	Wm. D. Brad- shaw.	Wm. J. Berry.	S. Adams.
Union 514	Union 226	Democrat 66	48	31

Charles D. Poston, even at that early date, was known as the "Father of Arizona," undoubtedly due to his activities in mining in the Territory, and subsequently to his influence in Washington in having the bill organizing the Territory passed.

Leib, according to A. F. Banta was a German, and at that time was residing at Fort Whipple. He was a personal friend of President Lincoln, and Mr. Lincoln appointed him quartermaster of the Army of the Potomac. The Senate of the United States refused to confirm his appointment. After Congress adjourned, the President reappointed the Doctor to the same position. He served in this capacity for nearly a year, when it became known to the Department that he was hopelessly involved, and he was summarily removed from office. The shortage in his accounts amounted to something like three or four hundred thousand dollars. He was honest enough, and no one accused him, but the army contractors used him as a tool to plunder and rob the Government. He wrote a book: "Six months in the Quartermaster's Department, or How to make a Million." He also wrote a German campaign song which was sung by all the German troops in the Union Army.

William D. Bradshaw came to Arizona from California in 1862 or 1863, settling first at La Paz. The following I condense from A. F. Banta and C. B. Genung: He established a ferry

on the Colorado River at a point about six miles below La Paz, at what was known as Olive City. (Olive City consisted of one shanty made of poles and mud.) William Bradshaw's brother Isaac, ran the ferry most of the time, while "Bill" as he was known at the time, ran over the country prospecting and exploring. In 1863 he was in Weaver, but all the rich ground was taken up, and he failed to get a claim. From there he led a small party on a trip to the Bradshaw Mountains, and gave the mountains his name. He was dissipated in his habits, but a man of some culture with a fine presence and a good deal of personal magnetism. In a fit of delirium tremens he cut his throat with a razor at La Paz, at which place he was buried, but his grave is unmarked. His brother Isaac mined in the Copper Basin and elsewhere for some years, and finally died in Yavapai County.

Adams was called "Steamboat Adams" from the fact that he advocated the navigation not only of the Colorado, but of the Gila and Hassayampa Rivers. I have been unable to ascertain when or where he died.

Of Berry there is nothing I can find.

In addition to the election of a Delegate to Congress, members of the First Legislature of the Territory of Arizona were elected as follows:

COUNCIL.

Name.	Residence.	Occupation.	Age.	Where Born.
Coles Bashford,	Tucson,	Lawyer	47	New York.
Francisco S. Leon,	"	Farmer	42	Arizona.
Mark Aldrich,	"	Merchant	62	New York.
Patrick H. Dunne,	"	Printer	40	Maine.
George W. Leihy,	La Paz,	Miner	47	New York.
Jose M. Redondo,	Arizona City,	Ranchero	40	Mexico.
King S. Woolsey,	Agua Fria Ranch,	Farmer	32	Alabama.
Robert W. Groom,	Groomdale,	Miner	40	Kentucky.
Henry A. Bigelow,	Weaver,	Miner	31	Massachusetts.

HOUSE OF REPRESENTATIVES.

Name.	Residence.	Occupation.	Age.	Where Born.
W. Claude Jones,	Tucson,	Lawyer	46	Ohio.
John G. Capron,	"	Merchant	35	"
Daniel H. Stickney,	Cababi,	Miner	52	Massachusetts.
Gregory P. Harts,	Tucson,	Surveyor	24	Ohio
Henry D. Jackson,	"	Wheelwright	40	New York.
Jesus M. Elias,	"	Ranchero.	35	Arizona.
Nathan B. Appel,	Tubac,	Merchant	36	Germany.
Norman S. Higgins,	Cerro Colorado,	Mining Engr.	28	Ohio.
Gilbert W. Hopkins,	Maricopa Mine,	Mining Engr.	35	New York.
Luis G. Bouchet,	La Paz,	Carpenter	32	California.
George M. Holaday,	"	Hotel Keeper	46	Indiana.
Thomas J. Bidwell,	Castle Dome,	Miner	31	Missouri.
Edward D. Tuttle,	Mohave City,	Miner	28	New York.
William Walter,	"	Miner	28	Pennsylvania.
John M. Boggs,	Prescott,	Miner	32	Missouri.
Jackson McCrackin,	Lynx Creek,	Miner	36	South Carolina.
James Garvin,	Prescott,	Physician	38	Illinois.
James S. Giles,	"	Miner	28	Delaware.

On the 26th of September, 1864, the Legislature convened at Prescott, which had been laid out in the previous June, in accordance with the proclamation of the Governor, and organized by the election of Coles Bashford as President of the Council, and W. Claude Jones as Speaker of the House.

Coles Bashford was born near Cole Springs, New York, January 24th, 1816, and finished his education at Wesleyan University, New York, after which he studied law and was admitted to practice in all the courts of his native State in the year 1842. He served very satisfactorily as District Attorney of Wayne County, New York, to which office he was elected in 1847. In 1850 he moved to Wisconsin, and soon attained an enviable position in his profession. He was elected to the State Senate on the Whig ticket, and upon the dissolution of that party became one of the founders of the Republican party in 1854-55, being elected to the Legislative Assembly at that time.



COLES BASHFORD.

In 1855 he was elected Governor of the State of Wisconsin. The seat was awarded to his opponent, but Mr. Bashford instituted quo warranto proceedings, and obtained the office in 1856 through a decree of the court.

During the winter of 1862-63, he was domiciled in Washington, but, being imbued with the spirit of the pioneer, he accompanied the officials appointed for the organization of the Territory of Arizona, arriving with the party at Prescott in the early part of the year 1864.

Mr. Bashford served as Attorney-General of Arizona; as President of the Council of the First Territorial Legislature, having been elected from the County of Pima, and as Delegate to Congress from Arizona in the 40th Congress. He was also Secretary of the Territory.

His duties as Attorney-General, which appointment he received at the hands of Governor Goodwin, called him to different parts of the Territory. Many of these journeys were made through the hostile Indian country, but he escaped attack from the Indians.

He was the first lawyer admitted to practice in the Territorial Courts. In May, 1864, he was admitted to practice at Tucson. His legal knowledge and ability were demonstrated in the early legislation of the Territory, particularly in the first session. In 1871 he compiled the various session laws into one volume, having been appointed to do this work by the Legislature. He was also re-elected to the second session of the Legislature. He was elected Delegate to Congress in 1866, and served until 1868. At the close of his term in Congress he was appointed Secretary of the Territory of Arizona by President Grant, and was re-appointed in 1873.

Tucson, having in the meantime, become the capital city, and he having large interests in Prescott, he resigned as Secretary of the Territory, and made his home in Prescott. He was active in political and professional affairs in the Territory up to a short time before his demise, which occurred in Prescott April 25th, 1878. His remains were interred at Mountain View Cemetery, Oakland, California, and the inscription upon his tombstone is one of his favorite quotations: "Write me as one who loves his fellowman." In every public position which he held, he discharged his duties with fidelity, intelligence and ability.

His widow, who survived him, and now resides in Oakland, bore the maiden name of Frances Adams Foreman, and was born at Seneca Falls, New York. Born of this union were seven children: Elizabeth, widow of G. A. Sprecher; Margaret, wife of R. H. Burmeister; William C., for a long time associated in business with Mr. Burmeister under the firm name of Bashford & Burmeister, and who died in Los Angeles, Calif., in 1915; Helen B., widow of W. E. Smith; Belle, who died at the age of eleven years; Lillian E., wife of A. W. Kirkland, and Edward L., of Oakland, California.

W. Claude Jones was a practicing attorney in Tucson. He left the Territory the following year. His subsequent history I have been unable to find.

The First Territorial Legislature continued in session until the 10th of November, devoting a great deal of its time to the adoption of a code of laws now known as the Howell Code. The Territory was divided into four counties, each named after a leading tribe of friendly Indians,

to wit: Pima, Yuma, Mohave, and Yavapai, and the boundaries of each county were defined in the Howell Code which was adopted by this Legislature on the 8th day of November, 1864.

"The Territorial Government is now fully organized in all its departments. Law and order everywhere prevail. The courts are in operation. Schools have been established in the leading settlements, and the printing press is doing its part to build up society, and to promote substantial prosperity.

"The day is not far distant when Arizona will occupy a first rank among the wealthy and populous states of the Union. The hostile savage is swept away; its mountains and valleys musical with busy implements of mining and agriculture, its unrivalled pastoral regions white with flocks, the wealth of its varied resources made apparent to the world, and its people thrifty and happy, the wonder will be that it was ever neglected by the government, and by capitalists as an insignificant and unpromising possession."

The foregoing is taken from the Journal of the First Legislature of Arizona, and may, therefore, be considered authentic. The printing press spoken of was the one mentioned by Mr. Banta as having been brought into the Territory by Secretary McCormick, and the first paper was issued on the 9th day of March, 1864. Mr. Banta, who accompanied the Governor's party in the capacity of bullwhacker, was employed as one of the first "typos" on this paper.

The only schools in existence were the Catholic schools at San Xavier del Bac, and Tucson, but other public schools were provided for by this Legislature.

CHAPTER V.

THE FIRST TERRITORIAL LEGISLATURE.

CONVENING OF THE LEGISLATURE—OFFICERS AND ATTACHÉS—GOVERNOR GOODWIN'S MESSAGE.

The Legislature, as before stated, convened on September 26th, 1864, but on account of the absence of some of the members of each house, it was adjourned from day to day until September 29th, when the Secretary of the Territory, Richard C. McCormick, read the proclamation of the Governor, announcing to both houses the election of the members of the Legislative Assembly, and convening the same, and a permanent organization was effected by the election of Coles Bashford, as President of the Council, Almon Gage, as Secretary, Edmund W. Wells, Jr., Assistant Secretary, and Carlos Smith as Sergeant at Arms, and in the house W. Claude Jones was elected Speaker, James Anderson, Chief Clerk, Clayton M. Ralstin, Assistant Clerk, and John C. Dunn, Sergeant at Arms. Neri Osborn was appointed Messenger of the Council, and John B. Osborn, Messenger of the House.

A motion was made to appoint a Chaplain in the Council, which was lost, and in lieu thereof, the following resolution was adopted:

“Resolved, by the Council, the House of Representatives concurring, That the Rev. H. W. Read be invited to hold divine service in this building each Sabbath during the session of the Legislature.”

The House, however, on October 21st, elected Henry W. Fleury, the Governor's Private Sec-

retary, Chaplain of that body, and on the following day Mr. Fleury was elected Chaplain of the Council.

Standing rules were adopted in both Houses, and on the 30th of September, 1864, the Governor delivered to the Legislative Assembly, in joint session, his message, which follows in its entirety:

“As the representatives of the people of Arizona, elected in accordance with the provisions of its organic law, you are this day convened in Legislative Assembly. Accept my congratulations, that with the organization of your body the territorial government is inaugurated in all its branches and rests on the foundation of the will and power of the people. The law organizing the territory of New Mexico, which is made a part of the organic law of Arizona, provides that ‘the legislative power and authority shall be vested in the Legislative Assembly, and the Governor, and shall extend to all rightful subjects of legislation, consistent with its provisions and the constitution of the United States; and all laws passed by them shall be binding unless disapproved by Congress.’

“Power so great, authority so unlimited, involves equal responsibility.

“And we must be impressed with a full sense of the stern and delicate duty confided to us, when we consider the importance and grandeur of the work we are selected to perform.

“We are here, clothed with the power to make laws which may forever shape the destiny of this territory, to lay the foundations of a new state, and to build up a new commonwealth. The con-

sequences of our official acts are not within our control, nor can we escape them.

"Their record either to our glory or shame will soon be made, and impartial history will render a verdict, from which there is no appeal. It is in our power by wise, just, and liberal legislation, to advance this territory far onward in the race for empire; or by regarding only the selfish promptings of the present, and ignoring the logic of events, forgetting the teachings of the past, and the grand anticipations of the future, to impede its prosperity and retard its progress. We are entrusted not only with the present interests of a small constituency, and amenable to them alone, but we are the trustees of posterity, and responsible to the millions who in all time shall come after us. The saints and martyrs of liberty, who founded the Republic, have given us in trust the greatest blessings that can be bestowed upon men—civil and religious liberty—it is our duty as legislators to transmit this gift to our successors unimpaired. The constitution of the United States, which is the ark of our liberties, and the organic law giving vitality to our acts, are the guides and limits to our legislation.

"Happily for our action there is abundant precedent. We have the teachings of the fathers, and can follow in the way marked out by the men of the revolution, and consecrated with their blood; it is not obscured by time but shines more luminous in the light of the ages. Wherever the principles they declared have been established, freedom of political and religious thought and action have been enjoyed, and education, enterprise and civilization have ad-

vanced. A departure from those principles has entailed oppression, crime and ruin.

"May the Supreme Law-giver of the universe, 'whose service is perfect freedom,' give us the wisdom, fitly and in the spirit of his teachings, to make the laws of this new state forever consecrated as the home of free men.

"The act establishing a temporary government for the territory of Arizona provides, 'That the act organizing the territory of New Mexico, and acts amendatory thereto, together with all legislative enactments of the territory of New Mexico, not inconsistent with the provisions of this act, are hereby extended to, and continued in force in said Territory of Arizona, until repealed or amended by future legislation.' I have examined the statutes of New Mexico with some care, and am of opinion that however satisfactory such a code of laws might be to a people homogeneous and accustomed to its workings, but few of the provisions are adapted to our condition, wants or necessities, and that an entire and radical change will be needed. In making such change it will of course be provided that no rights acquired under these enactments will be impaired thereby, and that all proceedings instituted under them may survive and be prosecuted to final judgment. And it is suggested, that however imperfect the statutes of New Mexico may be, only such changes as are absolutely necessary be made in the ordinary course of legislation, and that the general provisions be suffered to remain in force until a complete and consistent code of laws, congenial to our habits and tastes, and adapted to our wants, can be prepared and adopted. Frequent

changes in the statute law are the consequences of hasty and inconsiderate legislation, and produce uncertainty and litigation. It is almost impossible for the committees of the legislative assembly, within the time limited for its session, to prepare, discuss and adopt a system of statute law, entire and consistent with itself, and that will not require constant amendment. It is much easier to begin right than it is to alter and amend laws and modes of proceeding once established, even though they should be glaringly imperfect. I would therefore recommend that you provide immediately for the appointment of a commissioner to prepare a code of laws to be submitted for your approval and adoption. I am confident that by such action the result will be more speedily and satisfactorily attained. I will now suggest such changes as seem to be at once demanded, and such enactments as the organic law and our peculiar condition may require. Your experience in the Territory and superior knowledge of its interests will supply any omissions that I may make, and guide you in the difficult and delicate duties devolving upon you.

"An act in the statutes of New Mexico, regulating contracts between master and servant, continued and established in that territory, and consequently in this, in a modified and ameliorated form, that system of labor peculiar to Mexico, known as peonage.

"It in substance provides that a person owing a debt, or who wishes to contract a debt, may bind himself to pay that debt and subsequent advances in labor, at a stipulated price, and that if certain obligations be performed by the creditor or master on his part, the debtor or

servant shall be held to the specific performance of his contract, and compelled to labor for the creditor until all of his indebtedness is paid.

"These obligations are rigorously enforced. But while thus subjected to the influence and placed under the almost absolute control of the creditor, the peon is not deprived of his civil rights, nor does he lose the status of a citizen. He may acquire and hold property, may vote and be elected to office, may sit upon juries, and do all that a freeman can do. It is said that in practice the system has been but little changed by the ameliorations of the law, and that the old rigorous provisions are yet enforced upon persons ignorant of their legal rights, and that under it great abuses have arisen. But, without consuming time in enumerating consequences so obvious, or arguing the inconsistency of such enactments with the organic law, I say to you that the system is founded in wrong, and will result in oppression, that it is degrading to the dignity of labor, and debases the laboring man; it is equally a disgrace and a reproach to the peon, and to the other citizens of the State whose equal by law the peon is made—it is an obstacle to education and a bar to progress. I recommend the immediate abrogation of this system, and that the creditor be left to his action for debt, or damages for a breach of contract, and the same remedy for the collection of his debt which is provided in other cases. The New Mexican law further provides that a debtor in arrest may be detained in prison five days before he can be permitted to take the poor debtor's oath. I suggest that this relic of a barbarous law be abolished, and that the debtor, upon instituting

proper proceedings, be admitted to an immediate examination, and if permitted to take the poor debtor's oath be at once discharged.

"In the fierce conflicts for life waged by the people of this territory with the hostile Apaches, some young persons have been captured, and there being no provision made by government for their custody or support, have been placed in families as servants or laborers. These captives, so far as I have information, have been kindly treated, and in some instances have become partly civilized, and would not now voluntarily leave the persons with whom they are living.

"But though no wrong or oppression may have resulted from this relation between the parties, it is certainly liable to abuse, and if permitted to continue should be regulated by law. It is very important that reservations should be made, if they have not been, for all Indian tribes, and captives taken to them at once, that a settlement may be commenced, to which the whole tribe will eventually be taken. But where these persons have become accustomed to civilized life, and are unwilling to return to the savage state, there seems to be no good reason for compelling them to do so. I can suggest no better enactment in such cases than a system of apprenticeship similar to that existing in most of the states. It may be provided that such persons may come before the Judge of Probate of the county in which they live and assume a name, and be bound as apprentices for a term of years, in the presence and by the authority of that officer. The persons to whom they are bound should at the same time engage

to feed, clothe and instruct them, and at stipulated times bring them before the Judge of Probate, when their indentures can be continued or cancelled. Similar provisions can be applied when the children of friendly Indians are placed by them in the families of citizens. Severe penalties should be imposed upon those who illegally restrain these persons of their liberty, and do not comply with the provisions of the law.

"You are specifically authorized by the organic law to divide the territory into three judicial districts, to assign to each of them one of the judges who have been appointed, and to fix the times and places for holding terms of the district court. You have also the power to establish inferior courts. It will likewise be necessary to divide the territory into counties, and into legislative districts, to decide what territorial, county and town officers are required, to fix their duties, terms of office, and compensation. You are to determine the time and manner of holding elections of all elective officers and of the future meetings of the legislature, the qualifications of voters and of holding office. I have exercised some of these powers temporarily, where authority of law and a necessity for their exercise existed. Copies of the proclamations that have been issued, and the papers relating to the preliminary census, together with the election returns, and a list of all state and county officers appointed by me, will be submitted for your information. I have appointed an Attorney-General, who has performed the duties of district or county attorneys. I have also appointed a Judge of Probate, Sheriff, Register, Justices of the Peace and Constables, for

each of the three judicial districts, which I have regarded as counties, and constituted districts for such officers. In forming these districts I have endeavored to consult the convenience and wishes of the citizens, and in this, as well as in the appointment of officers, to secure the prompt and economical transaction of business. Such officers only as were indispensable to the execution of the laws have been appointed, and consequently a very small indebtedness has been incurred, for which payment must be provided by you. I bespeak your careful attention to the provisions for the government of counties and towns.

"If their affairs are promptly and economically administered, the foundation of good government is secured.

"I recommend that but few offices be created. Duties which in more populous communities are performed by several officers may here with propriety be imposed upon one, and such compensation should be paid as will secure the full time and services of competent men. If the wants of the people can be accommodated for the present by forming not more than three counties, it will to some extent relieve them from taxation that must in any event be onerous. In new territories the formation of numerous counties has laid the foundation of great and accumulating indebtedness with no commensurate advantages. In affairs of states as well as individuals economy is the surest basis of permanent prosperity.

"The revenue required to meet the expenses of the government which are not covered by the Congressional appropriation must be raised by

taxation. An estimate of the amount required for territorial purposes can be proximately made when the number and salaries of territorial officers are fixed. It should be borne in mind that for some time comparatively large sums will be required by counties to enable them to build court houses and other county buildings, and that such proper objects of taxation should be left to be assessed by them, or part given them from the amount raised by the territory, as will enable them to carry out the objects of these organizations. The only restrictions in the organic law upon the power to tax, or the objects of taxation, are that 'the property of nonresidents shall not be taxed higher than the property of residents, and that no tax shall be imposed on the property of the United States.' We need not at present avail ourselves of this latitude in taxation, for a revenue nearly if not quite sufficient can be raised by a system of licenses and a poll tax. These taxes will bear less heavily than others, and can be collected with less expense.

"The proceeds of all dividend paying mines can be taxed without obstructing the development of the country, and a license and tax should be required from foreign miners. I also suggest that hereafter the discoverers of mines which are taken up and recorded be required to locate next to the discovery claim one claim which shall be the property of the territory. I further recommend that a large proportion of the money, realized from taxing the mining interests, be set apart as a fund for raising, arming and supporting in the field companies of citizens, organized as rangers, to operate against the hos-

tile Apaches, until the last one is subdued. It will be necessary to adopt a militia system, by which an organization can be perfected as our population increases. Companies of rangers are the only force that can at present be made effective, and an Adjutant-General, who may also be Acting Quartermaster-General, is the only officer requiring to be compensated.

"The legislature and the Governor are also required to locate the permanent capital of the territory. Your superior knowledge of the territory and of the wishes and interests of the people, will enable you to determine that question satisfactorily. I can only urge that no considerations of local advantage, or sectional feeling and jealousy, should be suffered to control a question of so great public importance, but that a point should be selected which will become the centre of population, and aid the development of the Territory.

"The claims and advantages of the different sites should be carefully weighed, and a location be made that will not require an immediate change. The advantages to the territory of a permanent settlement of this question are too obvious to require enumeration.

"One of the most interesting and important subjects that will engage your attention is the establishment of a system of common schools.

"Self-government and universal education are inseparable. The one can be exercised only as the other is enjoyed. The common school, the high school, and the university, should all be established, and are worthy of your fostering care. The first duty of the legislators of a free state is to make, as far as lies in their power,

education as free to all its citizens as the air they breathe. A system of common schools is the grand foundation upon which the whole superstructure should rest. If that be broad and firm, a symmetrical and elegant temple of learning will be erected. I earnestly recommend that a proportion of the funds raised by taxation be appropriated for these purposes, and that a beginning, though small, be made.

"The act organizing the territory of New Mexico provides, that when the lands in this territory shall be surveyed under the direction of the government of the United States, preparatory to bringing the same into market, sections numbered sixteen and thirty-six in each township are reserved for the purpose of being applied to schools in said territory, and in the states and territories hereafter to be created out of the same. It does not seem to me that any portion of this donation can be made immediately available.

"It is for you to determine what legislation, if any, the interests of Arizona require under this donation, or what further legislation in that direction should be asked of Congress.

"The act of July 2, 1862, the operation of which has been extended by an act of the present Congress, has provided for the establishment of an agricultural college in every state or territory that shall avail itself of its provisions, and comply with its conditions. I recommend that you take the necessary steps to enable the territory to accept this donation. The only school which I have visited in the territory, though doubtless there are others, is one at the old Mission church of San Xavier. If any such insti-

tution be recognized by an endowment I suggest that some aid be given to this school. A small donation at this time would materially assist an ancient and most laudable charity of the church to which a large proportion of our people belong, and would encourage it in preserving one of the most beautiful remnants of art on the continent.

"The most extensive and important interest of this territory is the mineral wealth. Its development will be greatly promoted by well considered and liberal legislation. The miners may with propriety be permitted to adopt regulations for the placer mines, which are soon exhausted, under such restrictions as will prevent a monopoly of claims. The interests of those engaged in silver, gold, and other mines worked by machinery, as well as the advancement and prosperity of the territory, require the adoption of a mining code, and, if practicable, one that has received judicial interpretation. Moreover, if the mining states and territories regulate the possessory rights to such mines, as they may legally do, by laws which are equitable, adapted to their peculiar situation, and calculated to secure the development of the mineral, one argument for the interference of the federal government is removed. The people of these communities have regarded with the greatest solicitude the propositions which have recently been made for the taxation, sale or exclusive possession by government of the mineral lands. That abuses now exist which should be remedied by legislation is very apparent. Mining districts in this territory are created and divided by the votes of a few persons, records are imperfectly

kept, and the regulations of adjacent districts differ in material points, without any sufficient reason for the variance. This state of things must produce, in this as it has in other countries, under similar conditions, protracted and ruinous litigation whenever the claims become valuable. Uniformity in the ordinances, and a legal authentication of titles, should as far as practicable be secured.

"The scheme of taxation and seigniorage proposed in Congress would effectually drive the people from the mineral lands, without expressly providing for their exclusion. The whole country will be vastly more benefited by encouraging by its policy the discovery and constant working of the mines, thereby permanently increasing wealth and the sources of revenue, than it would be by any sum which might be realized by the present or prospective sale of the mineral lands. Moreover such sale would result in monopoly—it would put this important interest beyond the control of Congress, and would drive from the frontier the prospector and the pioneer—the vanguard of that army of occupation which has built up an empire on the shores of the Pacific. The mining law of Mexico gives to the discoverer of a mine the right to open and work it, and makes his title absolute and perfect so long as it is worked. If this policy be adopted I believe that the discovery and development of our mineral wealth will be assisted and secured. It gives full scope to the enterprise and energy of our people, and would have fully vindicated its wisdom in Mexico, but for the distracted condition of that unhappy country. The ordinance is liberal, equi-

table and just. I recommend that you make it the basis of a code, confirming to the proper extent the rights previously acquired under the laws of mining districts, and making their records evidence in the courts. A majority of you are miners, and have the experience and practical knowledge which will enable you to make such modifications in the details as our laws and conditions require. I suggest that you make the decision of mining rights as summary as is consistent with the administration of justice, and in the nature of proceedings in equity. It is for the interest of litigants and joint owners that there should be a speedy determination of conflicting claims, and the territory cannot afford that the development of its resources should be suspended while the time and money of its citizens are consumed in unprofitable litigation, and in order to furnish information to our citizens of what property is claimed and has been conveyed, all conveyances of mines or real estate, made since the country was acquired by the United States, and all grants, should be recorded within a specified time, in the county in which the subject of the grant is situated. I advise that such record be required to be made within one year from the time fixed in your law, and that it shall operate as notice, and the conveyance, though defective in form, be received in the courts as evidence of title and transfer.

“Persons during the past few years have acquired mining claims and possessory rights to real estate, which if continued and improved should be recognized. Many have abandoned their interests on account of Indian difficulties, the rebellion, or because they believe them to be

valueless. Such persons may never enforce their claims unless the property hereafter should prove valuable, and may then attempt to oust the possessor, who by expending time and money has given the property its value, by pleading their inability, in the disturbed state of the country, to improve it. I recommend that a statute of limitations be passed, allowing one year for persons not in possession of property to bring an action to recover such property. You may also deem it advisable at this time, before rights become vested, to adopt a permanent policy as to the use of water for agricultural as well as mining purposes. Where water is scarce and valuable it is important to provide against monopolies, and that it should be used as much as possible for the common good.

"For many years, even before it was acquired by the United States, attention was directed to this territory as the most feasible route for a railroad to the Pacific. The severity of the seasons, and the great obstacles presented by mountain chains seriously impede the progress of the road now building, and must greatly enhance the cost of constructing and running it. These difficulties have forcibly suggested the practicability of a route through New Mexico and Arizona. It has indeed all the advantages to make it the highway between the oceans. In 1853-54 explorations to determine this question were made by persons who had no previous acquaintance with the country, but who in spite of all the obstacles they encountered reported that practicable routes existed. Recent explorations have removed all objections to this line by discovering easier grades in shorter distances. Both north

and south of the 34th parallel, routes have already been found, over a country nearly level, and teeming with mineral wealth, where a snow-storm that would impede travel has never been known, and having abundant timber, wood and water for all railroad purposes.

"When such an enterprise has brought capital to the mines of Arizona, the transportation of its ores and products alone will yield a large revenue to the projectors.

"The legislative assembly of New Mexico, has taken the initiatory steps by passing an act incorporating the Kansas, New Mexico and Arizona railroad company, with ample powers and liberal provisions. I suggest reciprocal action on our part to advance the progress of this beneficial undertaking.

"Since the discontinuance of the overland mail in 1861, and until the action of the present Congress, no mail routes have been established in any part of this territory. We have been indebted to the courtesy of the military authorities for the means of communication between the principal points in the territory, and the mail routes in New Mexico and California. The attention of the Post Office Department has been repeatedly called to the deficiency in mail facilities, but so far without avail. The wants of our increasing population require that a mail route should be established from some point in New Mexico through this territory to California, and from Tubac or Tucson northerly through this point, connecting at Fort Mohave with a route to Utah, together with branches of like service to La Paz and the other principal points. It is recommended that you memorialize the Post

Master General for the immediate establishment of this mail service.

"The care and supervision of the friendly Indians is by federal laws entrusted to the Superintendent of Indian Affairs, while the work of subjugating the hostile tribes is committed to the military power.

"The action of a legislature on any question relating to these subjects is ordinarily unnecessary, but our isolated and remote situation, the large number of Indians in our midst that might be combined against us, the long hostility and brutal ferocity of some tribes, compel us to avail ourselves of all means for self defense and protection. The Pimas, Papagoes, and Maricopas, our well tried and faithful allies, maintain the same friendly intercourse that has always existed between them and us. I hope that nothing will be left undone on our part to strengthen and perpetuate amicable relations with them and other friendly tribes, by removing all just causes of complaint and promptly redressing all grievances.

"On the other hand, to the Apache has been transmitted for a century an inheritance of hate and hostility to the white man. He is a murderer by hereditary descent—a thief by prescription. He and his ancestors have subsisted on the stock they have stolen and the trains they have plundered. They have exhausted the ingenuity of fiends to invent more excruciating tortures for the unfortunate prisoners they may take, so that the traveller acquainted with their warfare, surprised and unable to escape, reserves the last shot in his revolver for his own head.

"When the troops were removed from this territory at the commencement of the rebellion, it was nearly depopulated by their murders. They have made southern Arizona and northern Mexico a wilderness and a desolation. But for them mines would be worked, innumerable sheep and cattle would cover these plains, and some of the bravest and most energetic men that were ever the pioneers of a new country, and who now fill bloody and unmarked graves, would be living to see their brightest anticipations realized. It is useless to speculate on the origin of this feeling—or inquire which party was in the right or wrong. It is enough to know that it is relentless and unchangeable. They respect no flag of truce, ask and give no quarter, and make a treaty only that, under the guise of friendship, they may rob and steal more extensively and with greater impunity. As to them one policy only can be adopted. A war must be prosecuted until they are compelled to submit and go upon a reservation. This policy has been pursued by the energetic and accomplished officer who commands this department, in his war with the Navajoes, who for more than a century have desolated New Mexico, and who were probably the most warlike tribe within our limits. He has been completely successful, and is now moving them to a reservation. He has commenced operations for a similar campaign against the Apaches, by establishing a large post in the heart of their country, and by moving actively against them from several points. If he is sustained and supplied with troops, in a very brief time the terrible Apache will be formidable no

longer, and the principal obstacle to our advancement be removed.

"I learn, though unofficially, that a reservation for the Apaches has been established at the Bosque Redondo, with the Navajoes, and am informed by the Superintendent of Indian Affairs, that he has selected a reservation in the valley of the Colorado River for the other tribes who are disposed to be friendly, and for whom no reservation had been made. This would segregate the friendly and the hostile tribes and would remove the former from the influence of the latter, and from collision with the miners.

Before the reservation can support this population, an irrigating canal must be opened, for which an appropriation should be made by Congress. The communication of the Superintendent on the subject is submitted for your information, and it is recommended that you memorialize Congress for an appropriation adequate to the purpose. I have already suggested that you provide for forming companies of rangers, who shall co-operate with other troops that may be sent against the Apaches. During the past year our citizens have voluntarily organized companies, and have carried the war into the Indian country and dealt them some severe blows.

"Three expeditions were raised and led by Lieut.-Colonel King S. Woolsey, who, with his men, are entitled to some acknowledgment at your hands, for the energy, skill and public spirit they have manifested.

"As American citizens we cannot be indifferent to events which are transpiring in the Republic of Mexico. The attempt to force a mon-

archy on the people of a free state must excite our earnest sympathy for its citizens, who, abandoned by rulers, and betrayed by traitors, are gallantly resisting the outrage, and striving to preserve their freedom and nationality. Our duty as law-abiding citizens requires that we should refrain from all acts which would tend to violate the neutrality which our government maintains. It is also our right as well as our duty to pledge our adherence to the principles of the Monroe Doctrine, and resolve that at the fitting time they shall be maintained.

"In conclusion, gentlemen, I congratulate you on the brilliant promise for the future of Arizona. Nature has indeed been lavish of the gifts which make a populous and wealthy State; and for every blessing withheld there is ample compensation. It is true that we have one navigable river only, but that is the Colorado of the West. It has been navigated for five hundred miles, and its capacity for improvement has never been tested. The arable land of the Territory is not extensive when compared with its whole area, but the fertile and well watered valleys of the Gila, the Salado, and the Verde, have once, and will again support a large population. The climate of northern and central Arizona is unsurpassed. The great altitude tempers the summer heat, and gives a pure and exhilarating atmosphere, while the excessive cold and deep snows of northern latitudes are unknown. It is peculiarly adapted to the labor and pursuit of mining. For grazing and stock raising it is unequalled. The richest grasses flourish in profusion and cure into hay upon the ground. The Norther, so destructive in other

pastoral countries, never reaches here, and cattle will thrive during the whole year, in the open air, without shelter. Its mineral wealth is yet unknown, but enough has been discovered to dazzle and perplex the mineralogist with its richness and extent. Whole chains of mountains are seamed with veins of gold and silver. And the gold and copper mines of the Colorado and Hassayampa are only surpassed in richness by the silver mines of southern Arizona. The obstacles which have retarded the development of this wealth will soon be overcome.

"No apprehension need be felt that the country will be again abandoned, and the desolated homes of these hardy pioneers only add to the ruins which are so thickly scattered about us, the memorials of another lost battle in the grand conflict of civilization with barbarism. History, while it records the failures of the past, is for us replete with encouragement and hope for the future. The Aztec has been here, and the fallen walls of deserted cities, and his degenerate descendant looking in vain to the morning sun for the coming of the Montezuma to restore his lost empire, are the only relics of his civilization and his race. The Spaniard too has slowly retreated before the fierce assaults of the relentless Apache, but where the foot of the Anglo-Saxon is once firmly planted, he stands secure, and before the clang of his labor, the Indian and the antelope disappear together. The tide of our civilization has no reflux wave, but rolls steadily onward over ocean and continent.

"The reports now coming from the Eastern States give every assurance that this cruel and unnatural war will soon be ended, and tranquil-

ity and harmony be restored in our unhappy country. The only hope of a speedy peace and a Union preserved, is in the triumph of the Federal arms.

"We are far removed from the scenes of the conflict, but we can express our sympathy with our brethren in their efforts to sustain the Government under which we have lived so prosperously and happily, and renew our fealty and pledge our devotion to the Constitution and the Union. From its successful conflict with rebellion the Government will emerge firm in its integrity, and purer and stronger from the ordeal through which it has passed. Its triumph will bring to Arizona peace, protection, and the blessings that follow in their train. We may not fight the battles for the Union, but if we rightly perform the work entrusted to us, we shall in our day, do our part to advance the glory and prosperity of our country. Hereafter, when the trials of the hour are forgotten, we may boast, that in the performance of our duties in the day of peril, when dangers encircled our path, we followed the flag of the Republic to the most remote region of its domain; that under its folds we established the principles for which it has waved in the battle and the storm, and that by our efforts another has been added to the commonwealth of States.

"JOHN N. GOODWIN."

The Governor appointed Henry W. Fleury as his private secretary, and notified the Legislature that all communications would be transmitted through Mr. Fleury.

CHAPTER VI.

THE FIRST TERRITORIAL LEGISLATURE (Continued).

HOWELL CODE—FIGHT OVER LOCATION OF CAPITAL—REPORT ON NAVIGATION OF COLORADO RIVER—RESOLUTIONS INSTRUCTING DELEGATE POSTON TO SECURE FROM CONGRESS ARMS AND MAIL ROUTES FOR ARIZONA—APPROPRIATIONS FOR SCHOOLS—ONLY MEASURE VETOED BY GOVERNOR GOODWIN—GOVERNOR GOODWIN'S FAREWELL MESSAGE TO THE LEGISLATURE—FAREWELL SPEECH OF W. CLAUDE JONES, SPEAKER—RÉSUMÉ OF ACTS PASSED—SEAL OF TERRITORY—APPROPRIATION BILL—MEMORIALS TO CONGRESS.

The first act passed by the Legislature, and approved October 1st, empowered the Governor to appoint a commissioner to prepare and report a code of laws for the use and consideration of the Legislature of the Territory. In accordance with this act Judge William T. Howell was appointed such commissioner, and submitted what is known as the "Howell Code," to the Legislature on October 3rd, and this code, after much debate and some amendments, was adopted as the code of laws for the Territory of Arizona, and remained as such until the laws of the territory were codified in the session of the Legislature of 1877, thirteen years afterwards.

Jose M. Redondo, who was elected to the Council from the Second District, resigned his position on the 10th day of October on the ground that he was ineligible to the office at the time of his election. The vacancy caused by his resig-

nation was not filled. Afterwards Mr. Redondo perfected his citizenship and became one of the permanent citizens of what is now Yuma, where many of his descendants still live.

On October 16th, Henry D. Jackson, a member of the lower house, died in Prescott, and the Council and the House adjourned on the 17th in order to attend the funeral.

The location of the Capital of Arizona having been made by the Governor, could, of course, be changed by the Legislature, and this was attempted by amending House Bill No. 56, locating the Capital at Prescott, which was up for consideration in the House on the 24th of October, when "Mr. Hopkins moved to amend by striking out the word 'Prescott,' and the words 'situated on the east bank of Granite Creek' and the words which follow thereafter, and which refer exclusively to the city of Prescott, in section 1, and insert instead 'La Paz,' and thereupon the yeas and nays were demanded, with the following result: Yeas—Appel, Capron, Elias, Harte, Higgins, Hopkins, Stickney and Mr. Speaker—8. Nays—Bouchet, Bidwell, Boggs, Garvin, Giles, Holaday, McCrackin, Tuttle and Walter—9. So the amendment was lost.

"Mr. Tuttle in the chair.

"Mr. Speaker moved to amend by striking out in the first section the words 'Prescott, situated on the east bank of Granite Creek, about one mile above and in a southwesterly direction from the present location of the United States military post, known as Fort Whipple, in said Territory of Arizona,' and insert instead 'Walnut Grove, on the Lower Hassayampa, in the Third District of said Territory,' upon which the yeas and nays

were demanded, and had with the following result: Yeas—Appel, Capron, Elias, Harte, Higgins, Hopkins, Stickney and Mr. Speaker—8. Nays—Bouchet, Bidwell, Boggs, Garvin, Giles, Holaday, McCrackin, Tuttle and Walter—9. So the amendment was lost.

"Mr. Speaker moved to amend by striking out all of the first section after and including the word 'Prescott,' and insert 'at a point within ten miles of the junction of the Rio Verde with the Rio Salado, in the Third District in said Territory, the location of said permanent seat of government to be fixed by the Governor of said Territory, and two commissioners, to be appointed by the present Legislature, at a point not more than ten miles from the junction of said streams, and that said permanent seat of government shall be called Aztlan,' upon which the yeas and nays were demanded, and had with the following result: Yeas—Appel, Capron, Elias, Harte, Higgins, Hopkins, and Mr. Speaker—7. Nays—Bouchet, Bidwell, Boggs, Garvin, Giles, Holaday, McCrackin, Stickney, Tuttle and Walter—10. So the amendment was lost."

This was the commencement of the fight to remove the capital from Prescott, which will be shown as this history progresses to have been a bone of contention for many years thereafter, in fact, until it was permanently located at Phoenix.

On the 25th day of October, a select committee of five in the council, to whom was referred that portion of the Governor's message relative to the Colorado River, made the following report:

"The Colorado River is navigable at all stages of water to El Dorado Canyon (a distance from

its mouth of about five hundred miles), for steamers of a draught not exceeding twenty-five inches; and at a medium stage of water, boats have run up to Black Canyon. Owing to the sandy and changeable nature of the channel and banks of the river below Fort Mojave, it is the opinion of your committee that but little good can be done by the expenditure of money for improvements upon the same, as they must be temporary in their character. A small amount of money, however, can be advantageously expended in removing snags and other obstructions out of the channel below Fort Mojave. Above that point the general character of the river changes in many places; large boulders render the navigation difficult and dangerous at all times, and it is of the greatest importance that these obstructions should at once be removed, as there is sufficient water at all seasons for such boats as run on the lower river. The expedition sent out by General Connor, commanding the Department of Utah, the past summer, to open a wagon road from Great Salt Lake City to Fort Mojave, reported that a good wagon road exists from Great Salt Lake City to the mouth of the Rio Virgin. Could the Colorado be made navigable to the junction of the Virgin, which is only three hundred and fifty miles from Great Salt Lake City, the citizens of Utah and of the Northern portion of this Territory, could obtain their supplies and ship their produce and ores at a reduction of one hundred per cent, from the present rates of transportation. Your committee would recommend that the Congress of the United States be memorialized for an appropriation of one hundred and fifty thousand dollars to

be expended as follows: Fifty thousand dollars to be expended on the river between Fort Mojave and Fort Yuma; also one hundred thousand to be expended in improving the river about Fort Mojave. There are at present steamers plying upon the Colorado River, carrying freight and passengers, and connecting with San Francisco by sail vessels from the mouth of the river, and to make the extent of the traffic and the necessity of improving the navigation of the Colorado River known, we herewith submit a statement of the capacity and tonnage of the boats now plying and in process of construction for the river trade. The Colorado Steam Navigation Company, incorporated in San Francisco, capital stock five hundred thousand dollars, have the following boats: The steamer Colorado, 60 tons burthen; Mojave, 100 tons burthen; Cocopah, 40 tons burthen, and several barges capable of carrying one hundred tons each. Their place of business and office is at Fort Yuma in the State of California. The Arizona and Miners Steam Navigation Company have one steamer, the Esmeralda, now plying on the river with two barges. The Esmeralda is fifty tons burthen, and capable of towing a barge of 100 tons. There is another steamer building at the mouth of the river for the same company, which is a joint stock company, with no incorporation, place of business not known to the committee. The Philadelphia Mining Company have a steamer on the river called the Mina Tilden, and another one in course of construction in San Francisco. Their mines are situated on the California side of the Colorado River, and their place of business unknown to the committee. In view of the amount of capital

invested in steam boats plying on the Colorado River, and the extent of country, the number of people, the vast amount of mining and other interests depending upon the navigable condition of the river, and the fact that this trade will be entirely for the benefit of Arizona, and the cornerstone upon which her speedy and permanent development rests, your committee would further suggest that the importance of this question calls upon you for prompt and immediate action. It will give an impetus to trade, increase the value of our mines, and prove to the people abroad that we have faith in our resources, and are eager to develop them."

The Council, on October 26th, considered House Joint Resolution No. 5, which is as follows:

"Resolved by the Legislative Assembly of the Territory of Arizona:

"1. That the Honorable Charles D. Poston, our delegate to the Congress of the United States, be instructed and requested to use every effort in his power to procure from the general government five hundred stand of Springfield rifled muskets, calibre 58, of the latest improved quality, with their equipments and fixed ammunition, sufficient for the purpose of arming and equipping a battalion of Arizona rangers, for active service against the Apaches and other hostile Indian tribes in this Territory.

"2. That he be instructed and requested to procure the establishment of the following mail routes, with weekly postal service on each: 1st. From Mesilla, via Tucson, Casa Blanca and Agua Caliente, to La Paz, in coaches. 2d. From Tucson, via Tubac, to Patagonia Mines. 3d.

From Tubac, via Cerro Colorado, Fresnal and Cababi, to Tucson. 4th. From Casa Blanca, via Weaver, Walnut Grove and Upper Hassayampa, to Prescott. 5th. From Prescott to La Paz, in coaches. 6th. From La Paz via Williamsport, Castle Dome City, Laguna, and Arizona City, to Fort Yuma. 7th. From La Paz to Los Angeles, in coaches. 8th. From Prescott to Mohave City, in coaches. 9th. From Mohave City to Los Angeles, via San Bernardino, in coaches. 10th. From Mohave City, via Aubry, to La Paz. 11th. From Mohave City, via Santa Clara, to Fillmore City, in the Territory of Utah. 12th. From Albuquerque, New Mexico, to Prescott, in coaches.

"3. That a copy of these instructions be forwarded immediately to the Honorable Charles D. Poston, by the Secretary of the Territory."

This joint resolution was finally passed on November 7, 1864.

On October 27, Mr. Hopkins, chairman of the Joint Committee on Education, made the following report:

"The Joint Committee on Education report, that after a mature consideration, they have decided that it would be premature to establish, or to attempt any regular system of common or district schools. At present the Territory is too sparsely settled, and the necessary officers for such an establishment, would be more costly than the education of the children would warrant.

"In lieu of such system, and for a foundation of Territorial Schools, your committee earnestly recommend that an appropriation be made and given to these towns, where the number of children warrant the establishment of schools.

"At the Mission of San Xavier del Bac, Padre Messaya has, at great trouble and expense to himself, educated all children free of charge. His pupils are Mexican and Papago; he has been sadly impeded in his efforts by want of suitable school books.

"A donation as suggested by his Excellency, the Governor, in his late message, would be but a fitting compliment to the first school opened in Arizona.

"In Tucson there were three primary schools during part of last year. There are over two hundred children in this town that should be attending school. At La Paz there was one of the above class.

"Your committee recommend that a donation be made to the Mission School at San Xavier del Bac of \$250. To Prescott, Mohave, and La Paz, each town, \$250. To Tucson \$500, provided the English language forms a part of the instruction of such school.

"The above appropriations to towns to be null and void, unless said towns, by taxation or individual enterprise, furnish an equal sum to the support of such public school."

The only measure the Governor failed to approve, which was submitted to him by the First Legislative Assembly, was a Memorial addressed to the Secretary of War, and the veto of the same, if veto it can be called, was as follows:

"Territory of Arizona, Office of the Governor,
"Prescott, November 9th, 1864.

"Honorable W. Claude Jones, Speaker of the
House of Representatives.

"Sir:—A Memorial passed by the Legislative Assembly, addressed to the Secretary of War

of the United States, asking that Arizona be placed in the Military Department of the Pacific, has been submitted to me for approval.

"I have examined it with care, and regret that I am unable to concur with the Legislative Assembly, either as to the correctness of the facts therein stated, or the conclusions drawn therefrom. The Memorial makes two distinct requests.

"First. That Arizona be transferred to the Military Department of the Pacific.

"One reason urged for the change is, that our communication with Headquarters would be facilitated thereby. The Military Express from Fort Whipple via Fort Wingate can be, and is, carried to Santa Fe in less time than it can be taken from the same point to San Francisco, by Fort Mojave or La Paz, and for an obvious reason—the distance is less.

"The same proposition is true of Tubac.

"A further consideration presented is, that the military posts can be supplied more economically and with greater facility from California. Ordinarily, when the currency is not depreciated, this may be true. But, at the present time, supplies cannot be obtained as cheaply in California, when their price, and the cost of their transportation must be paid in gold, as they can in New Mexico, where the currency is the government paper. Supplies can be furnished with facility from either point by competent commissaries and quartermasters.

"It is also said that our transfer to the Department of the Pacific will secure 'Unity of Action.' I do not understand what is meant by this phrase. I have never heard that there was a want of unity

of action on the part of the military forces in this Territory, nor do I comprehend how a change of departments could remedy the evil if it existed. If the whole Territory were made a separate military district, unity of action would undoubtedly be secured, and this can be done in whatever department we may be.

"Finally, the failure, as it is termed, of the last campaign against the 'Hostile Apaches,' is presented as a further argument. The principal cause of that failure is attributed to the fact that it was undertaken without the co-operation of the posts on the Colorado River. I know of no post on the river that could have taken part in the campaign. Fort Mojave, the nearest post on the river to the scene of operations, is 160 miles from Prescott, and not within one hundred as is stated in the Memorial. The distance of these posts from the hostile Indian country is so great that their garrisons could not be employed to advantage.

"The principal causes of the failure of that campaign to accomplish its purposes, were ignorance of the country, and the lack of competent guides. Time and experience will furnish these.

"The second part of the Memorial asks that a free and uninterrupted transit to the Gulf of California, be secured from Mexico.

"I fully concur with the Legislative Assembly in the importance and utility of this request, but I do not see how the result can be attained by memorializing the Secretary of War on a subject with which his department has no concern.

"For the reasons stated above, I shall withhold my signature from the Memorial.

"But, unless otherwise requested, I will transmit the Memorial to the Secretary of War, as expressing the views of the Legislative Assembly on the subjects therein contained.

"JOHN N. GOODWIN."

With the exception of the one item immediately preceding, the feeling between the Legislative and the Executive Departments was one of perfect harmony, and to show this I quote Governor Goodwin's farewell message to the Legislature:

"Territory of Arizona, Office of the Governor.

"Prescott, November 9th, 1864.

"To the Legislative Council:

"Gentlemen:—In reply to a Message from the Legislative Assembly, inquiring whether I have any further communication to make, it gives me pleasure to inform you that all business requiring your attention has been submitted to you, and I have only to express my full appreciation of the diligence and wisdom with which your labors have been prosecuted, and of their great value to the Territory.

"The task before you was indeed one of no ordinary difficulty. Since its acquisition by the United States, the Territory has been almost without law or government. The laws and customs of Spain and Mexico had been clashing with the statute and common law of the United States, and questions of public and private interest had arisen, which demanded careful but decided action. These questions have been met and satisfactorily settled. No portion of the

Territory has been overlooked and no interest of its people has been neglected. In addition to the ordinary business of the session, a complete code of laws has been adopted; one which will meet all the wants of our young commonwealth, and will compare favorably with the statutes of the older States. You have been in session forty-three days, and a greater amount of labor was never performed by a legislative body in the same time.

"I congratulate you on the harmony and good feeling which have characterized your deliberations. At a time when political feelings are strongly excited, you have suffered no party differences to distract your proceedings and divert your attention from the important work before you. You can now separate with the consciousness that your duties are performed.

"I wish you a safe return to your constituents, who, I doubt not, will fully appreciate your labors, and I thank you, one and all, for your uniform kindness to me and for the many tokens of your confidence and esteem.

"JOHN N. GOODWIN."

This communication was also sent to the House of Representatives, and there read.

The following resolution was introduced in the House, and unanimously adopted:

"Resolved, That the thanks of the members of the House of Representatives be and are hereby tendered to the Honorable W. Claude Jones, for the able, efficient and impartial manner in which he has discharged the arduous duties of Speaker of the House during the present session."

After the adopting of this resolution, the Speaker arose and said:

"Gentlemen of the House of Representatives:

"It is with the deepest emotion that I thank you for the approval of my official action as Speaker of the House of Representatives during the present session as expressed in the resolution just adopted.

"In the discharge of my duties I have pursued but one rule of action—and that was to do what my conscience told me was right under the circumstances, faithfully, impartially, and with an eye single to the good of the whole country. I have had no political hopes, and no ambitious views to gratify. I have known no local divisions—no factions—no political parties. I have labored daily and nightly for the best interests of that Territory in which I have cast my lot, and in which is my home; and I gratefully acknowledge your co-operation with me in all that could advance the general welfare and best interests of the country.

"You have been orderly, sober, active and industrious, and your deliberations have been directed with an enlightenment of intelligence. You have gone with an energy and with a will into the business of the Legislature. You have worked unceasingly, and with great and good results. You have enacted a code of laws for the government of the Territory, equal, if not superior, to any code in the States of the Union. You have accomplished what no other Territorial Legislature has done before you.

"Your counties have been named so as to perpetuate the historic aboriginal names of the

country. You have a well digested code of mining laws, that secures and fixes upon a firm basis the rights of the miner. You have laid the foundation of a system of education by establishing a university and a library. You have established a historical society to preserve the relics and paint the wonders of the past as well as the events of the mighty present, teeming with history. You have laid broad and deep the foundations of civil and religious liberty, and have every earnest that the Territory is on the high road to develop her great and manifold resources. For this you have labored with indefatigable industry. May your efforts be crowned with the fullest success.

"Without Legislative experience when you arrived in this capital, you have conducted your business with the order and system of the sages of a senate. It will be with me one of the proudest recollections of my life that no offer has ever been made to take an appeal from any of my decisions during the session, but they have been acquiesced in with the magnanimity and harmony that have ever characterized your deliberation. I owe much to your gentlemanly courtesy and kind forbearance.

"Gentlemen, the time has arrived when we are about to separate—perhaps never to meet again. My prayers for your prosperity go with you. The recollections of my associations with you here will linger as the brightest and greenest spot in the clouded vista of the past. I cherish the kindest feelings, the warmest sympathies of my heart, for each and all of you, and wherever you may go, wherever your lot may be cast, whatever may betide, my fondest recollec-

tions will cling around each and all of you, and I entertain the hope that by you I will not be forgotten.

"To the Chief Clerk and the officers of the House, I also return my thanks for the efficiency with which they have performed their duties.

"With the highest and best wishes for your welfare I bid you a kind farewell.

"Gentlemen, the hour of 12 m. has arrived, I now declare this House adjourned *sine die*."

In very few subsequent Legislatures in Arizona did the same spirit of amity and mutual respect prevail. It was not long before personal interest and political ambitions made their appearance in the Legislative halls of the Territory to disturb, and sometimes to arrest, good legislation.

As before stated, the first act approved by the Governor was the one authorizing him to appoint a commissioner to prepare and report a code of laws for the use and consideration of the Legislature of the Territory, in accordance with which a code prepared by Judge Howell was presented, considered, amended and passed, which was the code of laws of the Territory for many years thereafter.

The second act was one divorcing John G. Capron, a member of the House of Representatives from the First Judicial District from one Sarah Rosser of the same District, and the fourth act was one divorcing Elliott Coues from Sarah A. Richardson. Elliott Coues was a post surgeon at Whipple at the time the divorce was granted, and afterwards published "On the Trail of a Spanish Pioneer, Garces Diary," one

of the standard works in reference to the Spanish missionaries of the West.

The third act, entitled: "An Act Declaring Certain Routes as a Country Road in the Territory of Arizona," is one which will be interesting to all Arizonans. Section one provided that the road or route known as the Woolsey trail, beginning at the town of Prescott, thence continuing in a northeasterly direction a distance of twenty-five miles to the Agua Frio Ranch; from thence continuing in a southerly course to Big Bug Creek; from thence down said stream in a southeasterly course to Slate Creek; thence southerly to Black Cañon or the new mines; thence continuing southerly to Bird Springs, and thence to Casa Blanca or Pima Villages—should be declared by the passage of the act a *country road*, free for all intents and purposes therein required.

Several acts were passed incorporating toll roads in different parts of the Territory, some of which were built. The rates which they were allowed to charge would be considered, in our day, excessive, particularly where a road was built over ground that required very little work to make it passable for teams. One of these roads, "The Tucson, Poso Verde and Libertad Road Company," was incorporated by an act of the Legislature, and the incorporators were given the exclusive privilege and power to construct and build a toll-road from the town of Tucson to the nearest and most convenient point in the direction of the port of Libertad on the Sonora line, and also a branch toll-road from Tucson, Cababi and Fresnal, to intersect the line of said main road at a point desirable, and also

from the San Antonio, Mowry Silver Mine, and the Esperanza Mine, via Tubac, to Sopori on the line of said main road, passing almost entirely over the plain. Section 2 of the act provided, among other things, that the company was to construct bridges and grade said road, if they think proper, and to dig wells at practicable points, and to keep and maintain facilities for furnishing water to men and animals passing on said roads, and to do all other things necessary to complete said roads and make the same safe and passable at all times; and may construct and maintain one or more toll-gates, and may receive and collect toll or passage money in the sums not exceeding the following rates, to wit: For each wagon drawn by two horses, mules, or horned cattle, four cents per mile. For each additional span of horses or horned cattle, one cent per mile. For each carriage or cart drawn by one horse, mule, or ox, three cents per mile. For each horse or other animal and rider, two cents per mile. For each pack-animal, horse, mule, or ass, or horned cattle, one and one-half cents per mile. For every goat, sheep, hog, or loose stock in droves, one-quarter of a cent per mile; it being understood that no foot traveller shall pay toll, and that said company shall permit travellers to take water from any wells dug by them on the line of said road, sufficient for the use of said travellers and their animals while passing over said road or making the usual necessary stops thereon, without charge therefor. The above rates of toll shall only be collected over such roads as the company shall find it necessary to construct, and when wells are dug on the old portions of said roads, and which it shall not be ne-

cessary for the company to construct anew, they shall have the right to collect three cents per head for the use of all animals using the same on said roads."

The Santa Maria Wagon Road Company was also incorporated by the Legislature and was authorized and allowed the privileges to "construct and build a toll-road from such point on the Colorado River near the mouth of Williams' Fork, as they may deem most convenient, by such route as they may find and consider most favorable, in the general direction of the Lount and Noyes road, so called, to the town of Prescott in said Territory, with the right to construct bridges and grade said road, if they think proper, and to keep and maintain facilities for furnishing water to men and animals passing over said road, and make the same safe and passable at all times, and may construct and maintain one or more toll-gates, and may receive and collect toll or passage money in sums not exceeding the following rates, to wit: For each wagon drawn by two horses, mules, or horned cattle, four cents per mile; for each additional span of horses, mules, or horned cattle, one and one-half cents per mile. For each carriage or cart drawn by one horse, mule, or ox, three and one-half cents per mile. For each jack, animal, horse, mule, or ass, or horned cattle, one and one-half cents per mile. For each horse or other animal and rider, two and one-half cents per mile. For every sheep, hog, or goat, one-eighth of one cent per mile. It being understood that no foot traveller shall pay toll and that said company shall permit travellers with their animals to take from any wells or watering-places on the line of

said road water sufficient for the use of said travellers and their animals while passing over said road, or making the usual and necessary stops or camps thereon, without charge therefor."

All toll roads throughout the Territory were permitted to charge like exorbitant rates.

There was also an exclusive right granted to William D. Bradshaw and his associates to maintain and keep a Ferry across the Colorado River at La Paz. Section 2 of the act granting such right provided that "So long, not exceeding twenty years, as the said William D. Bradshaw, or his associates or successors, shall maintain and operate a good, safe and sufficient ferry between the points aforesaid, they shall be authorized to charge, demand and collect the following rates of toll, viz.:

"For a wagon and two animals, four dollars; for every additional two, one dollar;

"For every carriage with one animal, three dollars;

"For every beast of burden, one dollar;

"For every horse or mule with its rider, one dollar;

"For every footman, fifty cents;

"For every head of loose cattle, horses, mules or jacks, fifty cents;

"For every hog, sheep, or goat, twenty-five cents."

The Arizona Historical Society was incorporated at this session, concerning which more will appear hereafter.

The recommendation of the Joint Committee on Education was accepted and an Act was passed appropriating \$250 to the mission school

at San Xavier del Bac, for the purpose of purchasing books of instruction, stationery, and furniture, and there was also appropriated for the benefit of public schools in the towns of Prescott, La Paz and Mohave, to each of said towns the sum of \$250, but these last appropriations were dependent upon the appropriation by each town of an equal amount. The sum of \$500 was appropriated for the benefit of a public school in the town of Tucson, in which the English language was to form a part of the daily instruction; the appropriation, however, was to be void unless the said town, by taxation, appropriation, or individual enterprise, furnished a like sum of five hundred dollars to the support of such school.

The county commissioners were made the trustees of the public schools and had the power to appoint a suitable person to examine the course of instruction, discipline, and attendance of said schools, and the qualifications of the teachers, and report the same to them at their stated quarterly meetings. Said county commissioners and the inspector appointed by them was not to receive any fees or salary for any services done in the discharge of their duties under this act.

The legal rate of interest was fixed at 10% per annum.

The Legislature also passed the following act in regard to printing:

“Be it enacted by the Legislative Assembly of the Territory of Arizona:

“Sec. 1. The Secretary of the Territory shall be and he hereby is authorized to contract for the printing in book form, with pamphlet binding, of two hundred copies of the Code of

the Territory of Arizona, and such other printing as may be ordered during this session of the Legislative Assembly.

"Sec. 2. He shall not pay for such printing over one dollar per folio, and if it shall be necessary to provide paper for such printing, he shall furnish such paper at a rate of not more than twenty per centum advance upon cost and charges at Prescott.

"Sec. 3. The laws shall be published on or before the day they take effect, except such as take effect from the day of their passage, and such publication shall be paid for in such funds as the Territory shall provide.

"Sec. 4. The Secretary of the Territory shall be and he is hereby authorized to employ some suitable person to supervise the publication of said laws, provided the compensation therefor shall not exceed the sum of two hundred and fifty dollars."

All persons in military service who were legal voters of the Territory, were allowed to vote at elections in any part of the Territory they happened to be at the time of election.

All persons in military service, either of the United States or of the Territory, were allowed to hold mining claims in the Territory.

An act was passed creating a seal for the Territory, which is as follows:

"Be It Enacted by the Legislative Assembly of the Territory of Arizona:—

"Sec. 1. The seal of this Territory shall be of the size of two and one-quarter inches in diameter, and of the following design: A view of San Francisco mountain in the distance, with a deer, pine trees and columnar cactus in the

foreground: the motto to be "Ditat Deus." The date on said seal to be 1863, the year of the organizing of the Territory.

"Sec. 2. The sum of one hundred dollars is hereby appropriated for the expense of engraving and transporting said seal; and the Secretary of the Territory is hereby authorized to entrust said seal to proper parties for engraving.

"Sec. 3. The Secretary is hereby empowered to use the former seal in his official duties until the seal authorized in this act is prepared."

Of the seal so authorized and adopted by the Legislature, and also of the former seal mentioned in the foregoing act, Bancroft says:

"The seal described in the act of 1864 is the upper one in the cut. I find it used for the first time—in print—in the laws of 1883. The earlier seal, the lower of the cut, of origin unknown to me, is printed in the Journals and Acts as late as 1879. For humorous comments on this seal, see Ross Browne in Harper's Magazine, xxix, 561."

The "former" or "earlier" seal was according to J. Ross Browne, designed and brought to the Territory by Richard C. McCormick, Secretary of the Territory.

An Act was passed incorporating the Arizona Railway Company, the incorporators including the Governor, Secretary McCormick, Samuel F. Butterworth, and others. Section 2 of this act provided:

"That the purpose of this act is to organize a company and to incorporate the same, with authority, which is hereby granted to said company, to construct and maintain railway and telegraph lines, commencing at such point or



SEALS OF ARIZONA TERRITORY.

of the Territory is here reproduced. It is as follows:

"An Act to Provide for the Civil Expenses of the Territorial Government.

"Be It Enacted by the Legislative Assembly of the Territory of Arizona:

"Sec. 1. That the following sums be and they are hereby appropriated for the objects herein-after expressed, viz:

"For the salary of the attorney-general for the past year and up to the tenth day of November, A. D. 1864, eleven hundred and sixty-six (\$1,166) dollars.

"For the printing of the journals of the Legislature and other public printing, eleven hundred and twenty-one (\$1,121) dollars.

"For the salary of the Territorial Treasurer, fifteen hundred (\$1,500) dollars.

"For the salary of the attorney-general for the next year, ending November tenth, 1865, two thousand (\$2,000) dollars.

"For the salary of the Adjutant General, five hundred (\$500) dollars.

"For the necessary appropriations for school purposes, fifteen hundred (\$1,500) dollars.

"For printing the laws of the Territory, three thousand (\$3,000) dollars.

"For reading the proof and superintending the printing of the Code, two hundred and fifty (\$250) dollars.

"For enrolling the Code of the Legislature, one thousand (\$1,000) dollars.

"For the contingent expenses of the Territorial Government for the year ending December

thirty-first, 1865, fifteen hundred (\$1,500) dollars.

"For the commissioner, the Honorable William T. Howell, for drafting a Code of Laws for the Territory, two thousand five hundred (\$2,500) dollars.

"For Milton B. Hadley, for translating the Governor's message into the Spanish language, one hundred (\$100) dollars.

"Sec. 2. That in case there shall not be sufficient money in the Territorial treasury, the treasurer is hereby authorized to pay such appropriation in bonds provided to be issued by an act entitled 'An Act to provide for the Contingent Expenses of the Territorial Government,' passed at the present session of the Legislature.

"Sec. 3. This act shall take effect and be in force from and after its passage."

All of these appropriations were payable in currency which, at that time, was worth somewhere about fifty cents on the dollar in gold.

Congress was memorialized, first to increase the per diem of the members of the Legislature from \$3.00 per day in currency, to \$8.00 per day, and that an addition to the salaries of the Governor, Secretary, and Superintendent of Indian Affairs of the Territory, of not more than fifteen hundred dollars be allowed, and an addition to the salaries of each of the three Territorial Judges of not more than fifteen hundred dollars be allowed, and that the salary of the United States District Attorney be increased to two thousand dollars, and that the salary of the United States Marshal be increased to fifteen hundred dollars, and that the pay of the United States District Clerks be increased to fifteen dol-

lars per day, and that the pay of the United States Grand Jurors be increased to eight dollars per day.

The salaries received by the officials of the new territory are not set forth in the organic act but as that act expressly adopted all the terms and provisions of the organic act of New Mexico not inconsistent with the provisions of the organic act of Arizona, the salaries of the officials of Arizona were fixed by New Mexico's act in 1850, and were as follows:

Governor, \$1,500 per annum; Secretary, \$1,800 per annum; Attorney, \$250 per annum; Marshal, \$200 per annum and fees, and three justices of the Supreme Court at \$1,800 each. The members of the Legislature were to hold annual sessions of 40 days, at a compensation of three dollars for each member, and mileage at the rate of three dollars for 20 miles. In 1854 the salary of the Governor was increased to \$3,000, and that of the judges by \$500.

The Legislature also memorialized Congress asking that an appropriation of one hundred and fifty thousand dollars for the placing of the Indians of the Colorado on a reservation, be made, such Indians being the Yavapais, Hualapais, Mohaves and Yumas, numbering about ten thousand, who, the memorial recited, were scattered over an extent of country from the Gila River on the south to the northern boundary of the Territory, and from the Colorado River on the west to the Verde River on the east; that these Indians were roaming at large over the vast territory described, gaining a precarious subsistence from the small patches of land along the Colorado River, which they cultivated, and from fishing

and hunting; that when the seasons were unfavorable to their little farming interests, or the Colorado did not overflow to irrigate and enrich their fields, they were reduced to a starving condition, and compelled by necessity to make raids upon the stock and property of the whites, and not infrequently did they ambush the traveler and miner, and waylay and stampede the stock of trains and plunder their packs and wagons.

Congress was also memorialized for an appropriation of \$250,000 for the organization of volunteers or rangers in the Territory, to aid in the war against the Apaches, and also for an appropriation of \$150,000 for the improvement of the navigation of the Colorado River from Yuma to the mouth of the Virgin River, from which latter point, the memorial recited, there was a fine natural road, a distance of only three hundred and fifty miles to Salt Lake City, and that by this route the Government, as well as private transportation could be furnished in a much shorter time, and at less cost, than by any other route; that if the navigation of the river were improved, it would accommodate the general Government, and greatly increase and hasten the development of the vast mineral and other resources of the Territory.

CHAPTER VII. FEDERAL GOVERNMENT'S TREATMENT OF ARIZONA.

**CONGRESS DISREGARDS APPEALS OF ARIZONA FOR
AID—SYLVESTER MOWRY'S PROTEST AGAINST
GOVERNMENT TAKING OVER MINES—JUDGE
HOWELL'S LETTERS—NAVIGATION OF COLO-
RADO RIVER—ACTIVITIES OF DELEGATE CHAS.
D. POSTON IN CONGRESS—HIS SPEECH IN
CONGRESS.**

It shows how utterly regardless Congress was of the needs of Arizona when it is stated that none of the memorials set forth in the preceding chapter were acted upon. It was right that the per diem of members of the Legislature should be increased, because three dollars a day in currency did not pay their board in Prescott at that time. Board alone, without room rent, was from fifteen to twenty dollars in gold per week, and the increase in the salaries of the officers asked for was certainly not exorbitant.

The gathering in of the Indians along the Colorado River upon one reservation where they could be protected from the aggressions of the whites, and which would have afforded the whites protection against the raids of the Indians, was certainly something which Congress should have acted upon immediately, for while Congress set aside seventy-five thousand acres on the Colorado for an Indian Reservation, it made no provision whatever, so far as I can find, for a survey, the digging of canals for irrigating and the settlement of the Indians upon the reservation, consequently, for all practical purposes the

setting aside of the land was useless. The Indians were left to roam at will over their former territory, and, being without means of subsistence, were compelled to prey upon their white neighbors, which resulted in the uprising of what Carleton called the peaceful tribes and the inauguration of a war which for ferocity and brutality is not paralleled by the war which ended in the subjugation of the Apaches, and lasted for at least ten years until they were finally conquered by General Crook and placed upon the reservations. Had Congress acted upon the advice of Arizona's delegate, thousands of lives would have been saved and millions of dollars worth of property have been preserved to the white settlers and that part of the country would have been more rapid in its development.

The exploration of the Colorado River by Lieut. Ives was undertaken by the Government to ascertain if a feasible route could not be found by which Salt Lake City could draw her supplies from the head waters of the Colorado. This was demonstrated, and the town of Callville, near the Virgin River, was established, and was a forwarding point into Salt Lake City for many years, but Congress would appropriate no money to improve the navigation of the Colorado River, nor did it act upon the petition asking for an appropriation of \$250,000 to aid in subduing the Apaches, notwithstanding at this time the United States troops were practically withdrawn from the Territory, and the defense of their homes and holdings was left almost entirely in the hands of the settlers.

It will be seen by the correspondence of General Carleton that he advised the taking over of

mining properties in Arizona and New Mexico by the government, and leasing them to operators, and also, by the Governor's message, that he advised the Legislature to enact a law that any prospector who discovered a mining property, should locate a claim adjoining the discovery claim for the Territory, this claim to be sold and a sum accumulated therefrom for the raising of militia to operate against the Apaches. At that time there was a good deal of discussion over this matter in Congress, probably arising from the letters of General Carleton.

Sylvester Mowry, in a letter to the New York World, under date of April 25th, 1864, says that: "In July, 1863, the President of the United States directed the United States Marshal for the Northern District of California to take possession of the New Almaden Quicksilver Mine. General Wright, commanding the Department of the Pacific, was ordered to furnish troops to enforce the seizure. The Marshal and the troops proceeded on their errand, and found the mine fortified against attack. Did they seize the mine? By no means. The excitement throughout the State was intense. The present Governor, F. F. Low, leading bankers, merchants and capitalists, telegraphed to Washington, 'For God's sake, withdraw the order to seize the New Almaden, or there will be a revolution in the state,' and the President of the United States recalled the order."

In the same letter Mr. Mowry says: "A resolution has been introduced in the House of Representatives authorizing the President of the United States to take possession of the mines of Colorado and Arizona. Various other propo-

sitions have been made, all looking to the best mode of devising a revenue from the mineral lands for the support of the general government." He vigorously protested against the seizure of the mines by the government or the imposition of any unnecessary and burdensome taxation, and, pertinently, asked the question: "Why does not the resolution include the State of California and the Territories of Nevada, Idaho and New Mexico. In all these the precious metals are mined to a great extent on public lands. If the President is to take possession, in the name of the United States, of a mine in Arizona or Colorado, it follows by inevitable logic that he must do so throughout all the public lands."

This letter was followed by one to the "New York Herald," printed May 4th, 1864, upon the same subject, in which Mr. Mowry particularly referred to a proposition made by Senator Conness of California, proposing that a tax of 5% be levied upon all bullion, gold or silver, refined at the mint, coupled with a law prohibiting the exportation of unstamped bullion, which amounted to a tax of five per cent upon the gross proceeds of all mines.

These resolutions in Congress failed of passage, and are only noted here to show the conviction at that time, which was shared in by General Carleton, that the government could raise sufficient money from the operation of the placers and other mines of Arizona to pay the National debt, and it was only natural that Governor Goodwin should share to some extent in this feeling, and desire that Arizona should derive a large income from her mines through the sale of

claims located by every discoverer of a mining property.

It is a fact, I think, that can hardly be questioned, that those who accepted office in Arizona under the Federal Government, did not do so for the meagre salaries allowed, but expected to grow up with the country and to establish their individual fortunes through the acquisition of mining property. To one of them this certainly was an incentive, as the following letters written by Judge Howell, the author of the Howell code, to his friend in Michigan, show:

“Territory of Arizona.

“Office of the United States Supreme Court.

“Tucson, 19 Feb. 1864.

“Hon. Wm. A. Richmond,

“Dear Sir:—Your favor of Nov. — from New York reached me by express, en route from Fort Whipple to this place on the 13th inst.

“The express contained several letters for John, whom I left at the fort for the purpose of going into the mines with Surveyor-General Bashford. The Walker mines where they go are so destitute of water, that I think they will soon return. John has a full three months' supply for any place.

“I tendered him the Clerkship of this (First Judicial District) and before I left he informed me he would accept, and be here within four weeks. I think he can make it worth a thousand dollars a year, and will enable him to make a standpoint to emerge from when circumstances justify.

“This country is fabulously rich in gold and silver, but by far the richest portion is kept from



JUDGE WM. T. HOWELL.



being worked by the hostility of the Indians. Should a systematic, effective policy of protection be adopted, the world would be astonished at the result. The treasures are untold, and the government can safely issue five hundred millions more of 'Greenbacks' and look to this region for their redemption with confidence, if the miners can only have the privilege of protecting themselves by an organization to be known as 'Miners' Corps' and furnished with ammunition and rations, without wages, and placed under the general charge of competent superintendents.

"They would clear the country, (say 2,000 men), pay themselves from the earth, and prove more efficient than three times that number of armed troops.

"Theorize as much as you please, and some such measure must be adopted before it will prove effective.

"The presage has gone forth that the Apaches are unconquered, but the miners have 'cleaned them out' wherever they have gone in force, and they are the only men that have ever succeeded in doing so.

"As I cannot answer half the letters of inquiry I receive, I may yet write on the subject for general information.

"Very truly yours,
"W. T. HOWELL."

"Tucson, 9 March, 1864.

"Hon. Wm. A. Richmond,

"Dear Sir:—Your favor of the 4th January is just received by express.

"As I informed you in my last, John is yet in the mines, but I expect to hear from him daily. He has the refusal of the Clerkship here, worth

more than all the other Clerkships in the Territory.

"Now for minerals: I have travelled five hundred miles in the Territory, and been fifty days on the road. While Indian hostilities continue, the silver mines of the southern portion are much surer and safer than any other, as we have sufficient protection to work them. Every day further develops their richness and extent. Southern Arizona and Sonora contain the mother deposits of silver on this continent. A silver mine once opened and tested is a safe and permanent investment. The deeper you go the wider and richer. Gold leads are apt to run out, break off suddenly, and become 'spotted,' as it is termed.

"Now for the modus operandi:

"Mines are discovered, tested, found rich and stock immediately created and sold in such a diluted condition that the investment is unprofitable. For instance, the expense of travel agencies, discovery, testing and all would not exceed from ten to twenty thousand dollars by non-residents. If the stock was made from one to two hundred thousand dollars, according to the test, it would be profitable, but instead of that it ranges from a quarter to two millions of dollars, and the whole profits absorbed in the first instance. Now for a 'peep behind the curtain.' A resident here having the facilities can procure a mountaineer or miner to furnish him a lead for which after it is opened and proves good, he will have to pay him from one to four hundred dollars. A shaft can be sunk fifty feet from 4 to 7 dollars per foot. The depth of thirty feet secures the mine against all the world, and at that

depth you can judge of its extent and richness. If you proceed, a simple machine and two mules, which will test and pay as you go, will be all that is necessary. If all is right at thirty feet, at fifty you have a mine the stock of which at one hundred thousand dollars, would be worth more than dollar for dollar, and be permanent.

"All this would cost not to exceed fifteen hundred dollars by a resident here and not more than one thousand if lucky the first trial. This is the *real*—the Wall Street speculators the *ideal*.

"Keep out of Wall Street, as the fountain head can be reached much cheaper through the right channel.

"This information is for *your* benefit—not to be made public, but to those only who wish to try their luck.

"The best way to reach here is by water on the Pacific side. From San Francisco to the nearest port on the Gulf, and then by land. As this country has been overrun by Indians until now, and, consequently, produce is scarce, I cannot advise a large influx of population unless by way of California, and they should bring their supplies with them from that State.

"As our express does not go east under ten weeks, I send this via San Francisco as an experiment. Will attend to any matters and render any assistance in my power.

"Yours very truly,
"W. T. HOWELL."

In our day the author of such a letter would be subject to indictment for fraudulent use of the mails.

Vein mining at that time was little understood. Holes in the ground in Nevada, in the Reese River and other districts, not over ten feet deep, were being sold at from fifteen thousand and to fifty thousand dollars each, and, naturally, the furore extended to every territory where mineral was found.

The Governor in his message called attention to the navigation of the Colorado River. As before stated, a memorial was passed by the Legislature asking Congress to appropriate money for its improvement, which, like everything else coming from Arizona in the way of a petition to the Government, to alleviate conditions there, was passed over in silence. The Colorado River, as is seen by the memorial, was navigable as high as Callville, a post established near the mouth of the Grand Canyon, which was the shipping point for several years into Utah. Mining, as we have seen, was being prosecuted to a great extent along this river up to Bill Williams' Fork.

About the latter part of the year 1863, or some time in 1864, the date not being fully established, Capt. W. H. Hardy, one of the pioneers of Mohave County, established a ferry and toll road, and also a store, at Hardyville, which, for about nine months in the year, was the head of navigation on the Colorado River, and which was about 150 miles from Yuma. Freight was discharged at this point and transferred by team to Prescott and other points in the north.

The town of Ehrenberg, first designated as Mineral City, according to Hinton, was founded by an association in March, 1863, of which Herman Ehrenberg was elected surveyor. In 1867

it was resurveyed, and called Ehrenberg. A ferry was established there in 1862, and from this point goods were transferred to Weaver and other points in Arizona.

In order to encourage the California Volunteers to make a little money on the side, General Carleton, in a communication to the Adjutant-General of the United States Army at Washington, D. C., said:

"I have sent four companies of California Volunteers to garrison Fort West, in the Pinos Altos gold regions. I beg to ask authority to let, say, one-fourth of the command at a time have one month's furlough to work in the gold mines on their own account. In this way the mines and the country will become developed, while the troops will become contented to remain in service where the temptation to leave is very great."

Comparatively little is generally known of the activities of Charles D. Poston, Arizona's first Delegate to Congress, but the Congressional Globe, covering the 2d Session of the 38th Congress, shows that the "Father of Arizona," as Mr. Poston was known lovingly to his contemporaries, did all that was possible for one in his position, and secured from an unwilling government everything possible for Arizona. On December 13th, 1864, he introduced, by unanimous consent, a bill to provide for the settlement of private land claims in the Territory of Arizona; which was read a first and second time by its title, and referred to the Committee on Private Land Claims. On December 21st, 1864, he introduced, also by unanimous consent, the following resolution, which was read, considered, and agreed to:

"Resolved: That the Committee on Foreign Affairs be directed to inquire into the expediency of making an appropriation for the purpose of colonizing the Friendly Indians of Arizona on a reservation to be selected from the public lands."

January 25th, 1865, was a busy day for Mr. Poston. On that day, by unanimous consent, he submitted the following resolution, which was read, considered, and agreed to:

"Resolved: That the Committee on Public Lands be, and they are hereby, instructed to inquire into the expediency of adopting the code of mining laws passed by the Legislative Assembly of the Territory of Arizona hereto appended."

The papers accompanying the resolution were ordered to be printed.

On the same day, Delegate Poston presented the memorial and joint resolution of the Legislative Assembly of the Territory of Arizona, asking Congress to increase the pay of members of the Legislative Assembly and Territorial Judges, and other officials; which were referred to the Committee on Ways and Means, and ordered to be printed.

At the same time Mr. Poston presented the memorial of the Legislative Assembly of the Territory of Arizona, asking of Congress an appropriation of \$150,000 for placing the Indians of the Colorado on a reservation; which was referred to the Committee of Ways and Means, and ordered to be printed.

Mr. Poston also presented the memorial of the Legislative Assembly of Arizona, asking an appropriation of \$150,000 for the improvement of the navigation of the Colorado River; which was

referred to the Committee on Commerce, and ordered to be printed.

He also presented the memorial of the Legislative Assembly of the Territory of Arizona, asking of Congress an appropriation of \$250,000 in aid of the war against the Apaches; which was referred to the Committee on Military Affairs, and ordered to be printed.

He also presented the following resolutions and memorials of the Legislature of the Territory of Arizona: Requesting arms; which was referred to the Committee on Military Affairs and ordered to be printed. Resolution requesting mail facilities; which was referred to the Committee on the Postoffice and Post Roads, and ordered to be printed. Joint resolution instructing the Delegate from the Territory to ask of Congress the appointment of commissioners to fix the boundary line of the Territory of Arizona and other Territories; which was referred to the Committee on Territories, and ordered to be printed. A memorial asking for a change of the boundary line between Arizona and the State of California, which was referred to the Committee on Territories, and ordered to be printed.

On February 3rd, 1865, Mr. Poston, by unanimous consent, introduced a bill for the organization of the Territory of Arizona into a land district; which was read a first and second time, and referred to the Committee on Public Lands.

In the discussion on the General Appropriations Bill, on the 2nd day of March, 1865, Mr. Poston moved to amend the bill by inserting the following clause:

"For colonizing friendly Indians in Arizona on a reservation on the Colorado River and sup-

plying them with implements of husbandry and seeds to enable them to become self-sustaining, the sum of \$150,000, to be extended under the direction of the Commissioner of Indian Affairs," and, on the same day, Mr. Poston made the following speech in Congress:

"Mr. Chairman, Arizona, more than any other Territory of the United States, rises to the dignity of historic fame; it is even prehistoric, reaching far back into the dim traditions of the Aztecs. As everywhere else on earth, the history of man is here distinctly marked by the struggle between civilization and barbarism. The Aztecs lived in continual warfare with the barbarous tribes of the mountains, and their descendants to this day maintain the warfare bequeathed to them by their ancestors. The Aztecs were peaceable, industrious Indians, living by the pursuits of agriculture, dwelling in communities, and exercising a system of government with eminent principles of justice. The barbarians of the mountains were their natural foes and finally drove them into southern Mexico, leaving only a few degenerate descendants in the north.

"The Spanish explorers found a very interesting race of Indians in that part of the continent now belonging to the United States and designated as the Territory of Arizona. A knowledge of this remote people was first given to the European world by the romantic expedition of Cabeza de Vaca, who crossed the continent from the savannas of Florida, to the mountains of New Mexico in 1538. In these remote regions he found a people bearing evidences of European origin and practicing many of the arts of civili-

zation. They were supposed to be the descendants of the colony of the Welsh Prince Madoc who sailed from Wales for the New World in the eleventh century—celebrated in song by Southey. They are now called Moquis, and I beg leave to call attention to their present condition as described in an official report of Colonel Christopher Carson, first cavalry, New Mexican Volunteers.

“ ‘Headquarters Navajo Expedition,
“ December 6, 1863.

“ ‘Captain: I have the honor to report for the information of the department commander, that on the 15th ultimo I left this post with companies C. D. G. H. & L., first cavalry, New Mexican volunteers dismounted, for the purpose of exploring the country west of the Oribi villages, and if possible to chastise the Navajos inhabiting that region. On the 16th I detached thirty men with Sergeant Herrera, of Company C. first cavalry, New Mexican volunteers on a fresh trail which intersected our route. The sergeant followed the trail for twenty miles when he overtook a small party of Navajos, two of whom he killed, wounded two, and captured fifty head of sheep and one horse. En route the party came on a village lately deserted, which they destroyed. The energy and zeal displayed by the sergeant and his party on this occasion merit my warmest approbation.

“ ‘On the 21st arrived at Moqui village. I found on my arrival that the inhabitants of all the villages, except the Oribis, had a misunderstanding with the Navajos, owing to some injustice perpetrated by the latter. I took advantage of this feeling, and succeeded in obtaining repre-

sentatives from all the villages, Oribi excepted, to accompany me on the warpath. My object in insisting upon parties of these people accompanying me was simply to involve them so far that they could not retract; to bind them to us, and place them in antagonism to the Navajos. They were of some service, and manifested a great desire to aid in every respect. While on this subject I would respectfully represent that these people, numbering some four thousand souls, are in a most deplorable condition, from the fact that the country for several miles around their village, is quite barren and is entirely destitute of vegetation.

"They have no water for purposes of irrigation, and their only dependence for subsistence is on the little corn they raise when the weather is propitious, which is not always the case in this latitude. They are a peaceable people, have never robbed or murdered the people of New Mexico, and are in every way worthy of the fostering care of the government. Of the bounty so unsparingly bestowed by it on other Pueblo Indians, ay, even on the marauding bands, they have never tasted, and I earnestly recommend that the attention of the Indian Bureau be called to this matter. I understand that a couple of years' annuities for the Navajos, not distributed, are in the possession of the Superintendent of Indian Affairs at Santa Fe, and I consider that if such an arrangement would be legal, these goods would be well bestowed on these people.

"C. CARSON,

"Colonel First Cavalry, New Mexican Volunteers,

"Captain Benjamin C. Cutler, A. A. G."

"In antagonism to these interesting people, we have the barbarous Apaches, the Bedouins of the desert and the robbers of the mountains.

"Time immemorial their hand has been against every man, every man's hand against them; they disdain to labor, and live by robbery and plunder. For three centuries they have stayed the progress of civilization in that part of the continent, and now hold its richest mineral treasures from the grasp of the white man. They have successfully defended their mountain homes against the Spaniards, the Mexicans, and the Americans. A few hardy and enterprising Americans have been endeavoring to penetrate that El Dorado for several years, but for want of military support and on account of the desolating war which has spread its ravages to the confines of Arizona, they are yet prevented from exploring that inviting field of mineral wealth. The subjugation or extermination of this merciless tribe is a measure of stern justice which ought not to be delayed. Their subjugation would open to our hardy miners an unexplored gold field north of the Gila, which the Spaniards considered the true El Dorado. A sickly sympathy for a few beastly savages should not stand in the way of the development of our rich gold fields, or the protection of our enterprising frontiersmen. The settlers around the Capital (Prescott) have kept one hundred men in the field for more than a year at their own expense; their leader, Colonel King Woolsey, has been ruined by the Apaches, and adopted this method of retaliation. They have waited in vain for the protection of the military branch of the govern-

ment, and were forced in self-defense to take the matter in their own hands.

"The Pimas and Maricopas are a confederated tribe, living on the Gila River, one hundred and eighty miles from its confluence with the Colorado. They are an agricultural people, living entirely by the cultivation of the soil, and number some seven thousand five hundred souls. They have always been friendly to the Americans, and boast that up to this day they do not know the color of the white man's blood. They hold one of the strongest positions on the continent, accessible only after crossing deserts in every direction, and have here defended their homes and fields against barbarous Apaches from time immemorial. The early Spanish explorers found them here in 1540, and ruined houses of grand proportions attest their occupation for thousands of years before the Spaniards came. To the north for several hundred miles ruined cities, fortifications, and the remains of irrigating canals, indicate the places formerly occupied by a race now passed away without having left any history. The researches of the antiquarian are in vain, and the degenerate Indian of the present day answers all questions about past grandeur with the mystic name of Montezuma. The Pimas know no more of their origin than if they had come out of the ground, as their tradition intimates. They have no religion, and worship no deity, unless a habit of hailing the rising sun with an oration may be the remains of some sun-worshipping tribe. They are exceedingly jealous of their females; and their chastity, as far as outside barbarians are concerned, remains, with a few exceptions, unimpeachable.

They have a very good tract of land, set apart by metes and bounds plainly marked, have their irrigating canals in good condition, and present every evidence of a thrifty population, producing more than they consume. They number some seven thousand five hundred. They deserve the highest consideration of this Congress. It would have been impossible for the government troops in that Territory to have subsisted there but for the supplies furnished by these Indians. They are, in fact, the laboring population of that Territory. They produce supplies both for the Army and for the miners. They were colonized by the Spanish Jesuits a hundred and fifty years ago, and they are monuments of the civilization and prosperity of that country at that time. They have cultivated the land there from time immemorial. When the Spaniards entered that country three hundred and forty years ago, they found these Indians in a high state of civilization. It is a good country for agricultural purposes, and during my administration of Indian affairs in that Territory the last year, I had the pleasure of contributing something to the improvement of those Indians, by giving them cotton seed, hoes, spades, shovels, &c.

"The Papagoes are a branch of the great Pima tribe, speaking the same language and having the same manners and customs, modified by civilization; the only difference is, that upon being baptized, they were originally called Vapconia, in their language Christians, which has been corrupted into Papagoes; they also cut their hair short and wear a hat, and such clothing as they

can get. The Papagoes all live south of the Gila River, in that arid triangle known as the western part of the Gadsden Purchase. Their lot is cast in an ungrateful soil; but the softness of the climate reconciles them to their location, and contentment is their happiness. The fruit of the *Cereus Giganteus* furnishes them with bread and molasses; they plant in the rainy season, raise cattle, hunt, and labor in the harvest fields. Their principal settlement is around the old mission church of San Xavier del Bac, nine miles south of Tucson. The mission was founded by the Jesuits in 1670, and is the grandest architectural monument in northern Mexico. Upon the expulsion of the Jesuits from Mexico they gave the Indians a solemn injunction to preserve the church, promising to return at a future day. It was a strange coincidence that two Jesuit fathers from the Santa Clara College, in California, accompanied us to their long-neglected neophytes. They were received by the Indians with great demonstrations of joy; and, amid the ringing of bells and explosion of fireworks, entered into possession of the long-neglected mission of San Xavier. These pious fathers immediately commenced laboring with the zeal and fidelity of their order, and in a few days had the mass regularly chanted by the Papago maidens, with the peculiar softness of their language. Every facility was rendered the holy fathers in holding intercourse with the Indians, and a great improvement was soon perceptible in their deportment and habits. They seemed entering upon a new era of moral and material prosperity refreshing to witness. The captain, Jose Victoriana Solorse, is a highly intelligent Indian, and is

exercising a beneficent influence on the tribe. The family relations of the Papagoes are conducted with morality, and their women are examples of chastity and industry. These deserving people should have additional aid to enable them to colonize the straggling members of the tribe; their principal wants are agricultural implements, carts, wheelbarrows, axes and hoes. With the necessary aids in agricultural implements they can soon produce a surplus to exchange for clothing and the comforts of life, so that they will be an advantage to the community instead of a tax upon the government. They number about five thousand souls living within our boundaries.

"Now I come to the Indians of (the) Colorado. They never reaped the benefit of the Spanish colonization, because the Spaniards never extended their conquests north of the Gila. They are of the same family, and are affiliated with the Pimas, and desire to live in the same manner. But they have no means of exercising their industry. As far as that portion of our Indian country is concerned, they never have had an officer of the government among them until the last year. As Superintendent of Indian Affairs, I called the confederated tribes of the Colorado in council together. The council was attended by the principal chiefs and head men of the Yumas, Mohaves, Yavapais, Hualapais, and Chemihuevis. These tribes have an aggregate of ten thousand souls living near the banks of the Colorado, from Fort Yuma to Fort Mohave. They cultivate the bottom lands of the Colorado River, where an overflow affords sufficient moisture; the failure of an overflow, which sometimes

happens, is considered a great calamity, and breeds a famine. Their resources from game, fish, and wild fruits have been very much curtailed by the influx of Americans, and it would be dangerous for them to visit their former hunting-grounds. The fruit of the mesquite tree, an acacia flourishing in this latitude, has been the staff of life to the Indians of the Colorado. A prolific mesquite will yield ten bushels of beans in the hull; the beans are pounded in a mortar and made into cakes of bread for the winter season, and a kind of whisky is also made of the bean before it becomes dry and hard. This resource for the Indians has been very much reduced since the irruption of the Americans and Mexicans, as the mesquite bean is more nutritious and less dangerous for animals in that climate than corn. The beans command, at the different towns and stands where they are sold, from five to ten cents per pound as they fall from the tree. The improvidence of the Indians leads them to sell all the beans in the autumn, saving none for the winter consumption. During the past winter they were in such a famished condition that they killed a great many horses and cattle on the river, mostly belonging to American settlers, for which claims are now made.

"But as the representative of the government of the United States at that time, I did not undertake to make a written treaty with these Indians, because I considered that the government was able and willing to treat them fairly and honestly without entering into the form of a written treaty, which has been heretofore so severely criticised in both Houses of Congress, and with some reason. These Indians there assem-

bled were willing, for a small amount of beef and flour, to have signed any treaty which it had been my pleasure to write. I simply proposed to them that for all the one hundred and twenty thousand square miles, full of mines and rich enough to pay the public debt of the United States, they should abandon that territory and confine themselves to the elbow in the Colorado River, not more than seventy-five thousand acres. But I did not enter into any obligation on account of the United States to furnish them with seeds and agricultural implements. I simply told them that if I was elected to represent that Territory in this Congress, I would endeavor to lay their claims before the government, which they understood to be magnanimous, and that I hoped that this Congress would have the generosity and the justice to provide for these Indians, who have been robbed of their lands and their means of subsistence, and that they may be allowed to live there where they have always made their homes. They desire to live as do the Pueblo Indians of New Mexico and Arizona. Those Pueblo Indians live in settlements, in towns, in reservations, according to the wise policy of the Spanish Government, which colonized the Indians in reservations, and made their labor valuable in building improvements for their own subsistence, for churches, and public improvements, and in that manner made them peaceable Indians, instead of having everlasting and eternal war with the people whom they had robbed of their land.

"These people having been citizens of the Mexican government, are not, according to our theory, entitled to any right in the soil; and there-

fore no treaty with these Indians for the extinction of their title to the soil would be recognized by this government. It is a fiction of law which these Indians in their ignorance, are not able to understand. They cannot see why the Indians of the Northeast have been paid annuities since the foundation of this Government for the extinction of their title, while the Indians who were formerly subject to the Spanish and Mexican governments are driven from their lands without a dollar. It is impossible for these simple-minded people to understand this sophistry. They consider themselves just as much entitled to the land which their ancestors inhabited before ours landed on Plymouth Rock as the Indians of the Northeast. They have never signed any treaty relinquishing their right to the public domain.

"I beg to lay before you a memorial of the Territorial Legislature on the subject.

"To the Senate and House of Representatives of the United States in Congress assembled:

"Your memorialists, the Council and House of Representatives of the Legislative Assembly of the Territory of Arizona respectfully represent, that the four tribes of Indians known as the Yavapais, Hualapais, Mojaves and Yumas, numbering about ten thousand, are now scattered over an extent of country from the Gila River on the south to the northern boundary of the Territory, and from the Colorado River on the west to the Rio Verde on the east; that these Indians are now roaming at large over the vast territory above described, gaining a precarious subsistence from the small patches of land along the Colorado River, which they cultivate, and

from fishing and hunting; that when the seasons are unfavorable to their little farming interests, or the Colorado River does not overflow to irrigate and enrich their fields, they are reduced to a starving condition, and compelled, by necessity to make raids upon the stock and property of the whites, and not infrequently do they ambush the traveler and miner, and waylay and stampede the stock of trains and plunder their packs and wagons; that the whites are settling up the country, and necessarily diminishing their means of subsistence, and increasing the dangers of a collision with them; that the late Superintendent of Indian Affairs of the Territory, Hon. Charles D. Poston, in view of their scattered and destitute condition, selected and caused to be laid off, on the east bank and bottom of the Colorado River, a reservation ample enough for the accommodation and support of all the above named tribes; that an irrigating canal can be constructed at an expense of a small amount (the Indians performing the labor) that will render highly productive a large tract of land that will yield an abundance for their support, and afford a large surplus to be disposed of for their education and improvement; that when placed upon said reservation they can, under judicious management, be made not only self-sustaining, but to produce largely for the market; that, to enable those who may be placed over them or have charge of them to open said canal, to remove them upon said reservation, and sustain them until they can, by their own labor, provide enough for their subsistence, your memorialists respectfully ask of your honorable body an appropriation of \$150,000; that to secure the atten-

tion and favorable consideration of the subject and matters of this memorial by the Congress of the United States.

“ Be it resolved by the Legislative Assembly of the Territory of Arizona, That our Delegate in Congress, Hon. Charles D. Poston, be requested to use all honorable means to bring the subject before Congress.

“ And be it further Resolved, That his Excellency the Governor of the Territory of Arizona be requested to forward this memorial, together with such other information touching the subject as he may have in his possession, to Hon. Charles D. Poston, our Delegate in Congress.

“ W. CLAUDE JONES,

“ Speaker of the House of Representatives.

“ COLES BASHFORD,

“ President of the Council.

“ Approved November 7, 1864.

“ JOHN N. GOODWIN.’

“ In order that the proposition may be clearly understood I will read the report of the engineer who accompanied me on an examination of the valley of the Colorado to select a reservation for these Indians:

“ La Paz City, Arizona,

“ May 30, 1864.

“ Sir: At your request I have made an examination of the lands on the eastern bank of the Colorado River from La Paz to Corner Rock.

“ I have been surprised at the great quantity of rich bottom land and alluvial soil, traversed by many sloughs and lagunas, which extend from the banks of the river for several miles into the valley. Most of them are dry now, as the river did not rise high enough last year to fill them.

" "I directed my special attention to the lands between Halfway Bend and the Mesa. With the exception of a few stretches of heavy sand land which I estimated at about one-fifth of the entire area, I found the soil excellent, most of it consisting of a light loam, of which many thousand acres are covered with mesquite trees, a sure indication of rich ground, while willows and cotton trees grow luxuriantly in the vicinity of the river, the sloughs and lagunas.

" "At some places I noticed alkaline efflorescences, but they are not extensive. If these places could be regularly overflowed, much of the salts would be carried off. It is well known, moreover, that Indian corn and wheat grow well in alkaline soil.

" "If the eastern boundary of the intended reservation runs from the mouth of the principal slough at Halfway Bend (the Indians call it Mad-ku-dap) in a direction nearly north, $26^{\circ} 30'$ east to Corner Rock, it will include an area of about 118 square miles, equal to 75,520 acres. Of this, six square miles are mesa land, leaving 112 square miles, or 71,680 acres of valley land. One-fifth deducted as sand land leaves 90 square miles, or 57,600 acres, of bottom land or light loamy soil. About one-fourth of this, say 22 square miles, or 14,080 acres, is covered with mesquite trees. A large mesquite tree yields several bushels of beans. Supposing, then, that in this year every acre produced five bushels, the crop would amount to 70,400 bushels, which, with rabbits, lizards, tuli roots, the fish of the river, the little wheat and pumpkins they can raise, and the sale of hay, may give a precarious subsistence this year to the ten thousand In-

dians for which the government intends to make provision.

" "But, not taking into consideration that many Indians do not relish mesquite beans, the mesquite trees do not bear every year, and agriculture depends entirely on the casual overflows of the river. Last year the crops of the Indians amounted to very little, and if the river does not soon rise it will be the same this year.

" "The most humane and cheapest way to provide permanently for the Indians, and educate at least their rising generation to useful labors, would be, in my humble opinion, that the government not only give them the land between Halfway Bend and Corner Rock, but also assist them in digging an irrigation canal from the Mesa toward Halfway Bend. They would then become independent of the uncertain rise and fall of the river, could raise regular crops, and would soon be able to sell a large surplus.

" "From Halfway Bend to the Mesa I noticed at various points that the ground slopes gently back from the bank of the river toward the valley. The best proofs of this are the numerous sloughs. Ascending finally the Mesa and looking down the valley, I was struck with the evident facility with which a canal could be dug to irrigate many thousand acres of the richest soil, barren only for want of moisture.

" "According to Lieutenant Ives' report the fall from the foot of the Mesa to Halfway Bend is fifty-five feet, the distance by land twenty-seven miles. The foot of the Mesa seems to have been destined by nature for the head of a canal. The river flows to this point between hills of conglomerate, upon which freshets can

make but little impression. A few piles would make an efficient wing dam. A belt of willows and ash trees should protect the lower embankment for the first few miles.

"'At the foot of the Mesa I estimated the difference of level between the bottom of the river and the top of its upper bank fourteen feet.

"'Following the natural level of the country, and giving one foot fall to the mile, which is much for a large body of water, then, after fourteen miles of canal, all the land between the canal and the river for the remaining thirteen miles could be irrigated. If the canal were at this point only two miles distant from the river, deducting one-fifth for sand land, 20 square miles, or 12,800 acres, up to Halfway Bend, could be irrigated. But long before the canal has reached the first-mentioned point, sloughs could be filled, depressed flats overflowed by branch ditches, and many Indians could plant little patches along the embankments of the canal while it is in progress of construction.

"'Taking, now, twenty square miles as a minimum of irrigable land, at thirty bushels of Indian corn per acre, they could produce 384,000 bushels; and at twenty bushels of wheat per acre, 256,000 bushels; one-third of which, even with the propensity of the Indians to waste, would be more than sufficient for home consumption of ten thousand souls, allowing to each of them, women, children and babies included, five hundred pounds of corn or grain.

"'How the canal should actually be laid out, how branch ditches and flood-gates have to be constructed and distributed, what amount of earth the Indians have to remove, what dimen-

sions it should have—what, finally, the cost of this canal would be, (probably less than one hundred thousand dollars), all this can only be ascertained by a systematic survey of the valley for that special purpose.

“ Since for years accustomed in my profession to ascertain scientifically if the plans conceived by practical men can be executed, I feel some reluctance in making estimates before I have reduced them to a thorough scientific basis. The estimates of the amount of land to be reclaimed from a desert, and its productiveness, are, therefore, rather underrated.

“ The foregoing considerations have convinced me that the lands between Halfway Bend and Corner Rock are not only suitable for a reservation, but, in my humble opinion, are in every regard the best that could be selected in this section of Arizona.

“ The difference of level between Halfway Bend and La Paz is twenty-eight feet for a distance of nine miles by land, so that the canal could easily be continued from Halfway Bend to the foot of the valley, changing La Paz, from ‘the city of the desert,’ to the city of a territorial Eden, of laughing gardens and waving grain fields.

“ I have the honor to remain, very respectfully, your obedient servant,

“ ADOLPHUS F. WALDEMAR,

“ Chief Engineer.

“ Colonel Charles D. Poston,

“ Superintendent Indian Affairs,

“ La Paz, Arizona Territory.”

“ Irrigating canals are essential to the prosperity of these Indians. Without water there

can be no production, no life; and all they ask of you is to give them a few agricultural implements to enable them to dig an irrigating canal by which their lands may be watered and their fields irrigated, so that they may enjoy the means of existence. You must provide these Indians with the means of subsistence or they will take by robbery from those who have. During the last year I have seen a number of these Indians starved to death for want of food. They were eating the bark and leaves of trees, and also the lizards, frogs and snakes, so that it was impossible for me to procure any of the great natural curiosities of that country for the Smithsonian Institution.

"It was a matter of profound regret that the natural history of Arizona could not be illustrated in that depository of natural science; but the starving condition of the Indians forced them to consume the wonderful reptile productions of the country, which, had a better fate been reserved for them, would have delighted my friend, Professor Baird and the many visitors at that fountain of science.

"I was especially charged to examine and report upon the customs and habits of the grasshoppers or locusts of the western plains, to determine if they were the locusts of Asia, their mode of procreation, subsequent length of life, and many other interesting details; but alas for the lights of science and opportunity of grasshopper fame! these interesting insects had all disappeared down the widespread gullets of my red children. The Indian policy that I have the honor to present to you is simple and plain—easily understood by the Indians, and not to be

mistaken by the whites. We must have peace or war with the Indians, and I propose to give them their choice. The Indians that choose to be friendly with the Americans and one another will move westward to the reservation selected for them on the Colorado River and betake themselves to habits of industry and thrift. The Indians that reject the proffered friendship must go eastward and mingle with the barbarous Apaches and share their fate. It will then be easy to draw the distinction between friendly and unfriendly Indians. No American and no friend of civilization will disturb or be allowed to disturb the friendly Indians engaged in the active pursuits of productive industry on the Colorado reservation. Here they will have a resting place and a home on the banks of the river they have bathed in since childhood, and with the generous aid of the great government, whose hapless wards they are, will soon become a self-sustaining people. They will learn the first great lesson that by the sweat of their brows they shall earn their bread, and in due time reap the reward that sweetens toil.

"With an irrigating canal, the soil of the Colorado will become wonderfully productive. In that latitude the sun is over-genial; and the valley, not having an altitude of more than three hundred and fifty feet above the level of the sea, possesses an immunity from snows and frosts, so destructive to crops in more northern latitudes. There is no reason why the valley of the Colorado may not be made as productive as the valley of the Nile. In that temperature it only needs the vivifying influence of water to

make the productions of nature spring up like magic.

"The system of irrigation is no new experiment; it existed in Egypt before the Pyramids were born; it was practiced in Asia before Confucius wrote; it was brought to great perfection by the Aztecs of America, when our ancestors were dressed in skins and furs, and lived by the booty of the chase; it is scientific agriculture, and the only insurance against the uncertainties of a crop. With a proper system of irrigation, you shall surely reap where you sow; yea, even twice or thrice per annum. The sediment of the Colorado will plaster the walls of a canal and make them impermeable to water; such is the beautiful arcana of nature. On this river a lively commerce is already springing up, and some half dozen steamboats plow its turbid waters. It is navigable five hundred miles from its mouth, and its sources drain the great American Basin. The Indians will have a ready market for the surplus productions at their very doors, and the friendly current of the Colorado will bear it, untaxed, to market.

"It will be necessary for the Government to furnish the Indians with some intelligent superintendence in opening their irrigating canal, and the necessary implements of husbandry and seeds to enable them to raise a crop. Then let them work or starve; but do not force them to starve or steal without first giving them a chance to labor. It is a cruel thing to force men into a new civilization without preparing them for its duties. As the Americans come into the country the wants of the Indians increase; but without aid the means of satisfying these arti-

ficial wants are not commensurate. Without tools a man is helpless indeed. What would a man do without a knife, an ax, a hoe, a spade, or a shovel? He could make very little progress in agriculture; but tenfold is his power of production increased with these simple implements of husbandry. Among these Indians as well as all primitive people the women are the 'hewers of wood and drawers of water,' the very slaves of the lords of creation. It is only where the light of Christianity and the spread of civilization illuminate the pathway of a people that woman assumes a position 'a little lower than the angels.' The Indian women have to work out their salvation in sweat and blood or, lacking food and clothing, flock around a military post like moths around a candle. The dusky maidens of the Colorado are fast disappearing under the influences of these debasing establishments of military power, and soon their graceful forms and melodious voices will be only remembered in tradition and song. The disappearance of a people is a melancholy spectacle and bodes no good to us. The tide of civilization is bearing them to eternity with the same certainty that their native Colorado bears its sands to the sea. On what distant shore they will be stranded or saved is a mystery which they do not attempt to penetrate. The smoke of incineration floats away on the breeze and a few charred bones and smoldering ashes are all that remain of the 'human form divine.'

"Iretaba, the great chief of these Indians, was in Washington a year ago, on a visit to the President and the Army. He returned to his own country much pleased with his visit to the

Americans. He told his tribe that it would be of no use to go to war against the Americans; that they were a great people, against whom the Indians could never war successfully. He made an effective speech to them; and he and they agreed that if the Americans would deal with them fairly and justly, and provide them with the means of existence, they would bury the scalps that they had taken from one another; they would bury the tomahawk, and would never strike an American again. The responsibility now rests upon you. The Great Spirit, which deals alike with the destinies of the red man and the white man, will judge between you. In the long muster-roll of nations, which will be called after the echoes of Gabriel's trumpet shall have died away, if it shall be found that you have dealt fairly with your red brethren on this continent, you will stand before the Dispenser of universal justice acquitted of crime. If, on the other hand, it shall be decided that your track across the continent has been a succession of wrong, without an honorable effort at reparation, what terrible judgments may be meted out to you! We have always time to do justice, and to delay it is a crime. It is especially a duty to render justice to the weak and the helpless. Be merciful to the degenerate, for in the cycle of time our own doom may come.

"It is not alone for the Indians that I ask your generosity, however, much may be their due; but looking far beyond the present moment, it must be apparent to every man who lifts his mind from the struggle of the hour and indulges in a contemplation of the grand future of our country, that the settlement of the aborigines

of the mineral Territories in reservations must precede the active and full development of the great treasures of the nation. It is to these great mineral fields that the financiers of the Government and the world are now looking for relief from the financial embarrassments consequent upon a civil war unprecedented in the history of nations. The idea of discounting or repudiating the national debt can never be indulged in for a moment while the mountains west of the Sierra Madre are teeming with mineral wealth. In order to allow scope and verge enough for our hardy and enterprising frontiersmen to prospect the mines of Arizona, it becomes necessary to have the Indians colonized in a reservation, so that a miner may know when he meets an Indian in a lonely gorge in the mountains whether he is a friend or a foe.

"It scarcely becomes me to allude to the subject; but justice to the brave and hardy pioneers who have risked their lives a thousand times to carry the institutions of the American people into Arizona deserve a tribute at the hands of their first Representative. No people have ever endured the hardships, dangers, and privations of those brave and adventurous men who left the homes of their ancestors a thousand miles behind and penetrated the wilderness sending its golden sands into the Gulf of California.

"In the year 1824, Sylvester Pattie and his son James, from Bardstown, Kentucky, with a party of about one hundred hardy and adventurous frontiersmen, set out upon a trapping expedition to the head waters of the Arkansas River. After many romantic adventures in New Mexico, the party dispersed, and a few of

the boldest spirits undertook to reach the Pacific Ocean. They spent one winter at the celebrated mines of Santa Rita del Cobre, on the head waters of the Gila River, and the next spring trapped down that river to its confluence with the Colorado. Here they embarked their canoes on the turbid waters of the Colorado, and drifted down to the Gulf of California, whence they crossed the peninsula to the Pacific Ocean. Here they were imprisoned by the Spanish commandant at San Diego, and after a long and cruel confinement the elder Pattie died in a prison.

"The oldest living trapper in Arizona at this day is old Pauline Weaver, from White County, Tennessee. His name is carved in the Casa Grande, near the Pima villages, on the Gila River, under date of 1832. This old man has been a peacemaker among the Indians for many years, and is now spending the evening of his life in cultivating a little patch of land on the public domain in the northern part of the Territory of Arizona, on a beautiful little stream called the Hasiamp.

"In the early settlement of our western country the pioneers formed the advancing wave of civilization, and were generously sustained by the friends and relatives they had left behind; but the pioneers of Arizona leaped beyond the reach of succor and led the forlorn hope of civilization. Self-reliant and full of manhood, they went forth to battle alone. And manfully they bore themselves in the struggle, until overborne by the misfortunes which have nearly enveloped the nation in ruin. Many of them had seen the glorious banner of our country carried to the

tides of the Pacific Ocean; where nature said to man, 'Thus far shalt thou go, and no farther.' We had to turn our course southward, and sought the unpeopled lands of northern Mexico.

"The Government followed in the train of the people, and in a period of great prosperity, when the Treasury was overflowing with gold, gave \$10,000,000 for what was called the Gadsden Purchase. The people rushed into the new purchase and soon the indomitable industry and energy of the coming race was apparent in the discovery of mineral wealth and the establishment of relations with the nearest commercial centers. The industry of our people soon spread a beneficial influence in all northern Mexico; the Indians were softening under the influences of civilization, and I wish the sequel could be omitted. Would that Lethean waters could produce oblivion. In less than sixty days after the demon of civil war had commenced his ravages on this side of the continent, the infant settlements of Arizona were abandoned and the track of receding civilization was, for the first time in the history of this country, turned eastward, marked in its retreat by new-made graves. For two years the Territory remained a prey to anarchy.

"At the end of that time, by the indefatigable efforts of a few fast friends, a provisional government for the Territory was organized, and a staff of Federal officers of more than ordinary ability and character were sent across the plains to establish civil government in that remote region. In the overwhelming events of the great civil war impending, it was a grand moral spectacle to see the Republic sending its agents to a remote and distant Territory to plant the

banner of freedom on the ruins of a former civilization. We are but repeating history in following the footsteps of the Aztecs from their northern homes to central Mexico. The civil officers sent out by the President have discharged this duty, and discharged it well.

"At a greater distance from this capital than any proconsul ever planted the eagles of Rome from the imperial city, they established the stars and stripes of the Republic. In a beautiful lap of the mountains where never white man trod before, they located the capital of the Territory, and named it in honor of the Aztec historian, Prescott. On this very spot there is an Indian mound with the remains of an ancient fortification of the Montezumas, reminding us forcibly of the mutations of time and the rise and decline of nations; but nowhere yet in ruins do we find a temple dedicated to the living God. Let us take warning and lay deep the foundations of the Christian faith, not only in the monuments of Christianity, but in the hearts of the people.

"In that peaceful mountain home no sectional political differences rankle in the heart. It was my good fortune on the last anniversary of our Independence to assist in its celebration in that primitive capital. The people who had borne the banner of freedom from Bunker Hill to those distant mountains and the men who had escaped the horrors of war in the Old Dominion joined in fraternal celebration of Independence day, and consecrated themselves to the future prosperity of the Territory. And there in those everlasting mountains the genius of the American people will build a capital which will rear

Special Committee on the Condition of the Indian tribes, appointed under Joint Resolution of March 3, 1865, and printed by the Government Printing Office at Washington:

"Indorsement on communication from Hon. Charles D. Poston, delegate from Arizona, to the War Department, Washington, D. C., January 12, 1865. Recommends the establishment of a military post at Amboy; also an Indian reservation in that vicinity, which requires protection, &c., &c. (Referred by General Halleck to headquarters department of New Mexico, January 17th, 1865.)

"February 18, 1865.

"Respectfully returned. I do not think there is any military necessity for the establishment of a post at the mouth of Bill Williams' Fork on the Colorado of the West; nor do I agree with the Hon. Mr. Poston about having an Indian reservation on the Colorado.

"There are very grave objections to going to the expense of such an establishment in such an inaccessible country, surrounded as it is by deserts; besides, the Mojave Indians are at peace, and could not with propriety or profit be moved from their part of the valley of that river to another part further down.

"The other Indians, living upon the various slopes of the elevated country from which rise the San Francisco mountains, are not a warlike race, and can easily be managed, if treated with moderation, judgment, and firmness, until the country is filled with white settlers; then, as in California, they can be gathered together at some point, to be chosen with care, where they can be fed and protected until the destiny, which has un-

relentingly followed their race, blots them in turn from the face of the earth. The Apaches of Arizona, living upon the affluents to the Gila, should, in my judgment, be placed upon a reservation upon the Gila; say, somewhere upon the mouth of the Rio de Sauz, where there is an extensive valley, once densely populated, it is supposed, by Aztecs as they journeyed southward in the eleventh century.

"The remains of ancient acequias and of villages indicate that this land once sustained a great many people. It can do so again.

"All of which is respectfully submitted.

"JAMES H. CARLETON,

"Brigadier-General Commanding.

"Official: BEN C. CUTLER,

"Assistant Adjutant General."

The results of the memorials of the Legislative Assembly and the labors of Delegate Poston were not very great, but the 38th Congress did take enough notice of the newly formed Territory to give her post roads from Agua Caliente to La Paz; from Tucson, via Tubac, to Patagonia Mines; from Tubac, via Cerro Colorado, Fresnal, and Cabibi, to Tucson; from Casa Blanca, via Weaver, Walnut Grove, and Upper Hassayampa, to Prescott; from La Paz, via Williamsport, Castle Dome City, Laguna, Arizona City, to Fort Yuma; from Prescott to Mojave City; from Mojave City to Los Angeles, via San Bernardino; from Mojave City via Aubry, to La Paz; from Mojave City via Santa Clara, to Fillmore City, in the Territory of Utah.

For the Indian Service in the Territory, Congress made the following provision:

"For the general incidental expenses of the Indian Service in the Territory of Arizona, presents of goods, agricultural implements, and other useful articles, and to assist them to locate in permanent abodes, and sustain themselves by the pursuits of civilized life, to be expended under the direction of the Secretary of the Interior, twenty thousand dollars."

In passing it may be well to note that the appropriation for New Mexico, then also a Territory, for the same purposes, was the sum of fifty thousand dollars.

Congress also set aside a reservation for the Indians of Arizona as follows:

"All that part of the public domain in the Territory of Arizona, lying west of a direct line from Half-Way Bend to Corner Rock on the Colorado River, containing about seventy-five thousand acres of land, shall be set apart for an Indian reservation for the Indians of said river, and its tributaries."

And, further, in the goodness of its heart, Congress made the following additional appropriation:

"To supply deficiencies in the Indian service in Arizona Territory, twelve thousand nine hundred dollars for the present fiscal year."

The above was all that the 38th Congress did for the Territory of Arizona, and had it not been for the untiring efforts of Delegate Poston, it is doubtful whether she would have received any consideration whatever from Congress. The establishment of the Indian Reservation on the Colorado River, and the meagre appropriations for the Indian Service were secured by Poston in the face of an adverse report from the Congressional Committee on Indian Affairs.



JOHN N. GOODWIN.

CHAPTER VIII.

EARLY DAYS OF PRESCOTT.

GOVERNOR GOODWIN—HIS BROAD AND LIBERAL POLICIES—PRESCOTT SELECTED AS CAPITAL—SELECTION OF TOWNSITE AND SALE OF LOTS—FIRST HOUSE—BEAR PEN—FIRST HOTEL AND RESTAURANT—FIRST STORE—FIRST SALOON—FIRST SUNDAY SCHOOL—FIRST DAY SCHOOL—FIRST COURT—FIRST LEGISLATURE—FIRST ELECTION—FIRST PUBLIC BUILDING: “GUBERNATORIAL MANSION”—DESCRIPTION OF ARIZONA BY J. ROSS BROWNE—JOSEPH EHLE, PIONEER—LOUNT PARTY—EARLY SETTLERS—FIRST BOARDING-HOUSE—DESCRIPTION OF PRESCOTT BY GENERAL RUSLING.

John N. Goodwin, Arizona's first Governor, was born in South Berwick, Maine, fitted for college at the Berwick Academy, entered Dartmouth College in 1840, and was graduated in 1844. He studied law in the office of John Hubbard, and commenced the practice of his profession in his native town in 1849, in which he was successful. In 1854 he was elected to the State Senate of Maine, and in 1855 was appointed Special Commissioner to revise the laws of Maine, and in 1860 was elected to Congress. In March following the passing of the Act creating the Territory of Arizona, Mr. Goodwin was created Chief Justice for this Territory, but, following the death of Governor Gurley, President Lincoln, on the 20th of August, 1863, appointed Mr. Goodwin to the place made vacant by the death of Mr. Gurley. Mr. Goodwin served in this capacity until 1865, when he was elected

Delegate to Congress to represent Arizona, and went to Washington, never returning to Arizona.

Probably no better choice could have been made for Governor of the new Territory. The position of Governor at that time was surrounded with many difficulties.

There was a mixed population in Arizona; probably the greater portion of the native Americans were Southern sympathizers, and, had harsh measures been pursued, it would have been easy to have stirred up an embryo rebellion, instead of which the Governor was a peacemaker. He united all factions in the support of his administration, with the ultimate purpose of redeeming the territory from savage dominion. He was industrious, democratic in all his views and a typical Westerner, as far as his habits were concerned, for he was in no sense a Puritan or hide bound in his views. He enjoyed a toddy, liked a game of draw, and was pleasant, affable and courteous to everyone.

Upon the arrival of the Governor's party at Fort Whipple, then located in the Chino Valley, he began at once to make a personal tour of the Territory, with a view to a permanent location of the Capital. He visited La Paz and all the settlements along the Colorado River, and from there went to Tucson and other settlements in the South, and finally selected Prescott as the site for the Capital.

While at Tucson he incorporated the town by proclamation, and appointed William S. Oury, of Virginia, who had served under Sam Huston at the Battle of San Jacinto, whose brother had served in the Confederate Congress as a Delegate

from Arizona, and who himself was a strong sympathizer with the South, as mayor of Tucson.

The ravages of the Apaches continued without cessation and with increased violence after the withdrawal of the California Column into what is now New Mexico. Governor Goodwin appointed King Woolsey as Colonel of the militia of the territory, with the title of Lieutenant-Colonel, whose expeditions will be noted in a future chapter. Woolsey was a Southerner, and when the Albert Sidney Johnson party passed through Arizona in 1861, en route to the Confederacy, Woolsey joined the party, but was taken down with smallpox at Tucson, and for this reason was left behind. John T. Alsap, a Kentuckian, was appointed the First Treasurer of the Territory.

These things I mention to show that Goodwin, in the selection of his men paid no attention to what their feelings might be in the struggle then going on; all he asked, and that he received, was loyalty to the new Territory and to the government which he established, and never was such confidence betrayed.

Prescott was selected as the capital, because it was in the center of the country in which the placers had been discovered which were then being worked, and to which locality had been attracted a population from both the East and the West, of adventurous Americans. The name was given in honor of the great American historian, by Secretary McCormick. The town itself was in the heart of the Indian country, but a more picturesque spot for a future city could not have been selected. For a number of years it was unsafe to venture any considerable distance from

the town, unless in sufficient numbers to repel the attacks of the Apaches. He who did otherwise, did so at his peril. Lying always in ambush and picking off their victims, and driving off the animals belonging to the white settlers, escaping through their knowledge of the country from their pursuers, the Indians were always ready to seize upon any advantage an unguarded moment might afford. Sometimes guards were posted nightly throughout the town, and men slept upon their arms, expecting Indian attacks at any moment. The town itself escaped such a calamity, but not so with her citizens whose business affairs called them beyond the limits of safety.

In this period of doubt and uncertainty, with a gloomy future ahead of the town, within the town itself optimism prevailed, and every settler was doing his best in his particular line to oil the wheels of progress, moving steadily and firmly along the line of improvement, and seeing in the distance a great prosperity awaiting them. When harrassed with difficulties they would firmly take their stand prepared to retain any advantage already gained, holding always to the merited prestige which their city had attained, never for a moment retrograding, but always advancing, even though at a plodding gait, until the Indians were finally quieted and permanent safety assured.

The following is taken from an historical address delivered before the Prescott Library Association, Feb. 27, 1877, by the Hon. E. W. Wells:

"Upon the arrival of the corps of Federal Civil Officers early in the year 1864, they found they had been preceded, by some months, by

small numbers of miners and prospectors, who had penetrated, from the west, these mountains and forests in search of mines, accounts of almost incredibly rich deposits of gold having been given them by friendly Indians, who had made incursions into the interior of this section of the Territory, and who warned the whites of the dangers to be met with in an attempt to make a search for those bonanzas, because of the fathomless mountains being filled with lurking savages. As is always the case, with men of adventure and daring, the more they were impressed with the dangers to be encountered, the stronger their inclination to meet and grapple with them, and, taking their lives in their hands, they broke the way over the mountains making their camp at and a short distance above the present site of Prescott.

"The proceedings under which the townsite was selected, the name of Prescott chosen and lots disposed of, were as follows:

"A meeting of citizens was held at Granite Creek on Monday evening, May 30th, 1864, in response to the following call:

"Notice: There will be a public meeting held at the store of Don Manuel, on Granite Creek, on Monday evening, May 30, 1864, for the purpose of considering and adopting the best mode of disposing of lots in the proposed town, to those wishing to purchase under the recent act of Congress.

"Granite Creek, May 27, 1864.

"By order of

"MANY CITIZENS.'

"The Meeting convened at the time and place designated, Robert W. Groom being chosen to preside, when the following resolutions were unanimously adopted:

"Resolved: That in the judgment of this meeting, the two quarter sections of land upon the east bank of Granite Creek, the northerly line of the same, beginning at a point half a mile, more or less, southerly from the cabin of Messrs. Sheldon, Smith and Forbes, and lately surveyed for a townsite by R. W. Groom, are in a central and eligible location, and that we approve of their selection for the aforesaid purpose.

"Resolved: That we invite the citizens of the Territory and those persons who may hereafter become such, to unite with us in establishing a town at this point, the name whereof shall be Prescott, in honor of the eminent American writer and standard authority upon Aztec and Spanish-American History.'

"And it was further resolved that it being to the best interest of all concerned that the lots be sold and disposed of under the act of Congress, and that on account of the great delay which must attend communication with the Secretary of the Interior, (owing to the lack of mail facilities), and in the absence of a Register and Receiver of the Land Office in this district, that Messrs. Van C. Smith, Hezekiah Brooks, and R. W. Groom, were appointed to act as Commissioners to represent the interests of the Government and of the citizens of the Territory in laying out, appraisement and disposition of the lots.

"Prescott, as thus selected, is located near the intersection of the 34th degree of latitude, with the 112th degree of longitude; the lots number

1016; the streets all run with the cardinal points of the compass, and are named after persons either identified with the former or present history of this part of the Territory, such as Montezuma, Cortez, Marina, Alarcon, Coronado, Whipple, Aubrey, Leroux, Walker, Lount, and a number of others.

"Messrs. James A. Halstead of Fort Yuma, William F. Scol, of Tucson, and Charles M. Dorman, were appointed appraisers, who, dividing the lots into three grades or classes, valued them at \$7.50, \$10 and \$15 respectively.

"The lots were sold at public auction to the highest bidders, the pilgrims, who were now increasing in numbers, paying liberal prices, and investing fully to the extent of their means. The terms of sale were one-third of the selling price to be paid down, which was held by the Commissioners to cover costs of survey, etc., and the remaining two-thirds to be paid when the proceedings of the citizens of the town were legalized by the Government.

"The first sale of lots took place on the 4th day of June, 1864. Seventy-three lots were sold for a total amount of \$3,927.50, while their appraised value was \$910.

"About the corner lot upon which now stands the large brick house occupied by J. Goldwater & Bro., will always linger a certain interest as being the first lot sold in the town, which was knocked down for the full sum of \$175. The sale of lots continued from time to time until nearly, if not quite all, were disposed of, at healthy prices.

"The population of the town increased somewhat rapidly, considering the circumstances of

the surrounding dangers and difficulties incident to a camp in a hostile Indian country.

"The people were of a free, reckless and jovial disposition, and to-day I know of not an incident more enjoyable than that of witnessing the meeting of two or more of the old pioneers and hearing them relate of the good old times of the Puritan days of Prescott.

"The future certainty of the town now being a settled fact, attention was turned to the building of houses and making other improvements and preparations for the accommodation of the fast growing business, of a promising place with mining and agricultural surroundings.

"The first house on the townsite reaching completion was the office of the 'Arizona Miner,' which was finally torn away and its place occupied in the building of the brick store house now owned by T. H. Loisilon, the first brick building in the town. The building erected for the 'Miner' office was made of boards sawed by hand in what was termed a saw pit. From this office the first number of the 'Arizona Miner' issued in Prescott, was sent forth on the 22nd day of June, 1864, by Tisdale A. Hand, the publisher, who, some time afterwards died of consumption. The 'Miner' was issued semi-monthly, and was, in size a little larger than a sheet of foolscap paper.

"Among the first houses built in the town and now standing, was the little log house, sailing under the classical name of the 'Bear Pen,' on Granite Street, in early days of mining speculation, the California Street of Prescott. The Bear Pen is an object of interest, not only on account of its claim of prehistoric tendency, but

chiefly, you may say, as being the headquarters in early times of the aristocratic and inflated monopolists known as the 'desulphurizers' and 'concentrators,' and where they, by their midnight orgies, affected to a considerable extent, the money, mining, and 'grub' market on the following day. The trade of the organization was the talking of the buying and selling mines, negotiating loans, and concocting designs on square meals. They also dealt largely in slander and wildcat feet, and were rather successful in the brokerage business, that is, they were as methodical in closing up a boarding-house as they were systematical in breaking a healthy mining capitalist who wasn't a good judge of rock.

"The means of communication with the west and east were by the Pioneer Pony Express, via La Paz to California, established July 28th, 1864, by Robertson and Parish, and Duke & Co.'s Pony Express, running via Mohave to California, established July 30th, 1864. These expresses were of a semi-monthly occurrence, while Fort Whipple had a military express running semi-occasionally to the East, via Fort Wingate, New Mexico, the advantages of which were kindly extended to the civilians. Notwithstanding the riders of these mails were usually accompanied with escorts of soldiers, they were frequently attacked by Indians, often killed and the mails captured, plundered and destroyed.

"The first hotel and restaurant in the town was called the Juniper House, with Mr. Geo. W. Barnard as proprietor, who, on the 4th day of July, 1864, opened out for the season with a grand flourish on a goodly supply of fresh veni-

son, red peppers and frijoles. Not only in commemoration of the day of copious patriotism, but as well to celebrate with honor and solemnity the opening day of a popular business, the following was the bill of fare on that day:

“ ‘BREAKFAST.

“ ‘Fried Venison and Chili;
“ ‘Bread and Coffee With Milk.’

“ ‘DINNER.

“ ‘Roast Venison and Chili;
“ ‘Chili Baked Beans;
“ ‘Chili on Tortillas;
“ ‘Tea and Coffee
“ ‘with Milk.’

“ ‘SUPPER.

“ ‘Chili, from 4 o’clock on.’

“ Being the chief manipulator of the culinary department, the proprietor entrusted the collection of ‘pay for meals’ to his assistants, whose faithful attention to business soon closed the hotel doors for repairs.

“ The first store was opened by Manuel Yesera, in the south end of town, at the stand so long and happily known as Fort Misery.

“ The first well regulated saloon was opened by Tom Hodges, on Cortez Street, who sold drinks and segars, and took ‘Burros’ in payment, much after the manner as was done with Davy Crockett’s coon skin.

“ The first Sunday School was organized on the 7th day of August, 1864, in a log cabin where now stands the White House, by Rev. H. W. Reed, postmaster and pastor. Church service

had, prior to this date, been regularly held every Sabbath at the same place. Here the old, tried, and fossilized veterans, who inclined to feelings of piety, were wont to assemble for encouragement in hearing the good word spoken, and it was truly a charming and pleasant sight to see, here at a place in the far-off wilderness, girls with their bright cheery faces and new gowns, and boys with greased hair and new buckskin foxed trousers, answer to the ring of the triangle hung to a pole at the church door.

"Parson Reed quit the settlement some time in 1864, leaving us without church service except as an occasional lay brother might be moved in that behalf, until the field was occupied by Post chaplains and other reverend gentlemen, resulting in the present perfect and happy system of religious teachings.

"The first day-school was opened in the fall of 1864, by Mr. Alex. Malron, but it failed to assume the form and character of a school until taken hold of by Mrs. L. A. Stevens in 1865, under whose skillful management and the industry of her successors, it was developed into an institution of no little celebrity.

"Dr. James Garvin was the first Alcalde or Justice of the Peace, and the first court was convened in the month of July, 1864, for the purpose of trying who hadn't the right to a bronco mule. Several days were spent in sly maneuvering and juggling in the manipulating of witnesses and jurymen, with a view of getting a fair trial. When the issues were made up and the trial had, it resulted, as is not infrequently the case, in the attorneys getting away with the bronco, leaving the clients, court and officers, to

divide the payment of the costs among themselves, and set up the liquor to the jury to boot.

"The health of the people was, generally speaking, good, hence there was little need for drugs and medical treatment. The same results were too often swiftly reached by the Indian arrow and lance, and the too free imbibing of the ardor of youth.

"The First Legislature of the Territory was convened at Prescott September 26th, 1864, at the mention of which comes the reminiscences of the first political campaign, in the electing of the members of the first Legislature. Partizan feeling and strife hadn't then been nourished into life as a bridge over which the incapacitated might gently glide into office, but the man of the period was popularly chosen on account of his merits alone, which consisted not simply in book learning and local fealty, but of the then selfish requirements, to wit: The sufficient state of cleanliness, and the possession of garments of such purity as would be suitable and creditable to the high station he sought. One of the chosen candidates was possessed of an ample fund of the former qualifications, but was found largely wanting in the latter, and it was discovered that his opponents in other locations had woven his shortcomings into political capital against him. A public meeting was at once called, and as the result of the deliberations thereof, our candidate was taken to the creek, vigorously scrubbed, gorgeously robed with articles donated for the occasion, put astride a mule, and sent forth to do battle. It is needless to say that he was elected by a large majority,

served with distinction through the whole term, and became the idol of his constituency.

"The first election was held on the 18th day of July, 1864, 149 votes being polled in Prescott.

"On the 16th day of March, 1864, while in charge of a herd of stock, Joseph Cosgrove was attacked by Indians, within rifle shot of where you are now sitting, and killed. This was the first attack made by the Indians in the vicinity of Prescott, and signalized the uprising of a vicious and powerful foe and the beginning of a lasting, cruel and brutal war. Notwithstanding Prescott's flattering beginning, it was not the destiny of her people to escape the ravages of a bitter enemy, whose pleasure it was to be at peace or at war as best suited them, a race of beings which history gives no account of ever being civilized, subdued, or conquered—wily, cunning and dangerous enemies by nature and by instinct, murderous by inheritance, and thieves by prescription. In the death of Cosgrove the settlers came to realize the earnestness of the Indians' bold threat to check the growth of the town, and of meeting with resistance any further approach of the whites into their country. The cloud of anxiety, uncertainty, and apprehended dangers which overhung the town for so many long and gloomy years cannot be told."

The first public building erected in Arizona was what was known as the "Governor's Mansion" in Prescott, a description of which is given in the Arizona Graphic of October 14th, 1899, as follows:

"No matter whether the pioneer lives north or south of the Gila, he will regard with in-

terest this reproduction of one of the old landmarks of the days of '60. The tenderfoot, too, will join in the lock step and feel at least a kindly interest in the men who blazed the trail and set the ball a-rolling, as it were, in the westward march of American principles, to build up the country and advance its progress. Arizona may cherish in the line of personal reminiscences such men as Woolsey, Weaver, Walker, Carleton, Crook, Townsend, and a score of other equally famous Indian fighters, whose cunning and dash forever put a stop to Indian deviltry, but the pretty side of Arizona, in its Hassayampa era must be recorded behind the old log walls of the first gubernatorial mansion to be erected in what was distinctively a 'wild and woolly west.' It was in this antique structure that Arizona, officially and judicially, first found a permanent home, and where, also, the Territory for the first time breathed easily and purely, and from whence was inaugurated a form of government becoming to the conditions that faced it in privation and danger.

"Considerable discussion has prevailed, for some reason, or other, that Arizona had its first capital located at Navajo Springs, from the fact of the proclamation being dated at that point in '63; that Chino Valley, likewise, must be rated in the same regard, because the governor hobbled his horse on the plains there for a few weeks; that Tucson was officially designated at Washington as the seat of government because, we suppose, it was even that day the same old, 'Ancient and honorable pueblo' it is still. The fact of the matter is, the gubernatorial party were nothing but official tramps, and from the

lips of survivors of that expedition we are informed that while Tucson was semi-officially mentioned, the governor was to be guided in his choice by a consideration of questions in geographical location, population, industrial and other matters before making a permanent home. In short, the capital of Arizona was to be on wheels. Accordingly, the governor moved from Navajo Springs to Chino. A few weeks afterward the Rich Hill gold excitement turned itself loose, and on the recommendation of General Carleton the governor again 'broke camp' and selected Prescott as the seat of government, arriving here in May, 1864.

"The first government contract was that of calling for proposals for the building of the 'Gubernatorial Mansion,' being published in the Arizona Miner in June, 1864. The contract was awarded to Messrs. Blair, Hatz and Raible and the work inaugurated. In appearance, the building of that day is identical to the picture here shown, with the possible exception of the weatherboarding in front and a few minor changes. Some idea may be had of the dangerous task to face these contractors when it is stated that an armed guard was maintained over the workmen to guarantee them security from the Indians. In the line of expenses, for nails and material generally, the cost was simply fabulous—\$1.75 a pound being the price of ten-pennies, while other wares were measured proportionately. The result of Arizona's first contract was that it faced a busted combine and had an unfinished house. In other words, the contractors went \$1,500 behind and with only the 'broad canopy' overhead for a roof. As there

was no board of control or democratic watch-dogs of the treasury lurking near, a new specification was inserted in the contract, and the work went on.

"The building as it stands to-day has a frontage of fifty feet and a depth of forty feet. It is two stories in height, and has some eleven rooms. Its cost was about \$6,000 originally. During the regime of official life it was occupied by Governor Goodwin, deceased; Secretary McCormick, who still lives in New York; Chief Justice Turner, living in Ohio, and Assistant Secretary Fleury, deceased. After the removal of the capital from Prescott to Tucson, some four years later, Judge Fleury 'held the fort,' so to speak, and a remarkable fact which is linked with his life and his first home in Arizona, is that from 1864 to the day of his demise, in 1896, not a night in all those years had passed without the roof of the old mansion sheltering him. How Judge Fleury obtained possession of the place no one knows, nor does anyone seem to care. His title was valid enough, however, to permit him to mortgage the house, which he did to the late Chief Justice French, the latter granting him the right to live therein during life. After the death of Judge French, the will of the latter provided for the transfer of the property to the Congregational Church of Prescott, in the event of Judge Fleury's death, and not until then. From 1864 to 1896 the gubernatorial mansion was a rendezvous and a generous home for hundreds. It made but little difference to Judge Fleury whether the person was poor, rich, honest or otherwise, everybody was sheltered or cared for, in winter or summer, with

a generosity that terminated in the financial ruin of the giver.

"The house treasured many relics of the past in Arizona, and with its quaint, colonial makeup and arrangement in furniture, and other fixtures, was indeed an inviting place for the curious. Today it is occupied by a family and is an uninteresting center. No one seems to care to view it or consider what it was. This is only characteristic, however, of Arizona and its coldblooded regard for things that have a sacred historical value. The building in its interior has been ransacked and pillaged from stem to stern by relic hunters, and nothing remains to cherish either the day or the dead. The property has been publicly advertised for sale, and the Territory will be short sighted indeed if it does not purchase the old house and again throw it open to the old as well as the new, and maintain it as a museum, if nothing more. The cost of the old house would be a comparative trifle, and the sentiment involved a noble one. Unfortunately, there are no public funds available for such a purpose, and, apparently, the property could be acquired by the Territory only by act of the legislature."

Arizona, as it was in 1863, was not an attractive place for law-abiding, industrious citizens. It was, in all respects, a wild and barbarous country, to a great extent under the control of savages who resisted every step of the white man's progress. J. Ross Browne, who accompanied Charles D. Poston and Milton J. Duffield from California to Arizona, thus describes the Territory as it presented itself to his mind at that time:

"No country that I have yet visited presents so many striking anomalies as Arizona. With millions of acres of the finest arable lands, there was not at the time of our visit a single farm under cultivation in the Territory; with the richest gold and silver mines, paper money is the common currency; with forts innumerable, there is scarcely any protection to life and property; with extensive pastures, there is little or no stock; with the finest natural roads, travelling is beset with difficulties; with rivers through every valley, a stranger may die of thirst. Hay is cut with a hoe, and wood with a spade or mattock. In January one enjoys the luxury of a bath as under a tropical sun, and sleeps under double blankets at night. There are towns without inhabitants, and deserts extensively populated; vegetation where there is no soil, and soil where there is no vegetation. Snow is seen where it is never seen to fall, and ice forms where it never snows. There are Indians the most docile in North America, yet travellers are murdered daily by Indians the most barbarous on earth. The Mexicans have driven the Papagoes from their southern homes, and now seek protection from the Apaches in the Papago villages. Fifteen hundred Apache warriors, the most cowardly of the Indian tribes in Arizona, beaten in every fight by the Pimos, Maricopas, and Papagoes, keep these and all other Indians closed up as in a corral; and the same Apaches have desolated a country inhabited by 120,000 Mexicans. Mines without miners, and forts without soldiers, are common. Politicians without policy, traders without trade, storekeepers without stores, teamsters without teams,

and all without means, form the mass of the white population. But here let me end, for I find myself verging on the proverbs."

The population of Arizona was confined to a great extent to La Paz on the Colorado, Tucson, the Vulture Mine, and the placer mines in and around Prescott. As we have seen, gold was the great incentive, and it having been discovered in large and paying quantities in all the ravines around Prescott, this was the inducement which caused the Government to locate the capital permanently at Prescott, for naturally there would be a fort also, which was established at Whipple, and all immigrants and miners were protected to some degree.

There was located a short distance up the canyon from Prescott a town, which was called Goodwin in honor of the Governor, but which was afterwards known as Gimletville, the name given to it by the Prescottites. Samuel C. Miller erected the first house in this town.

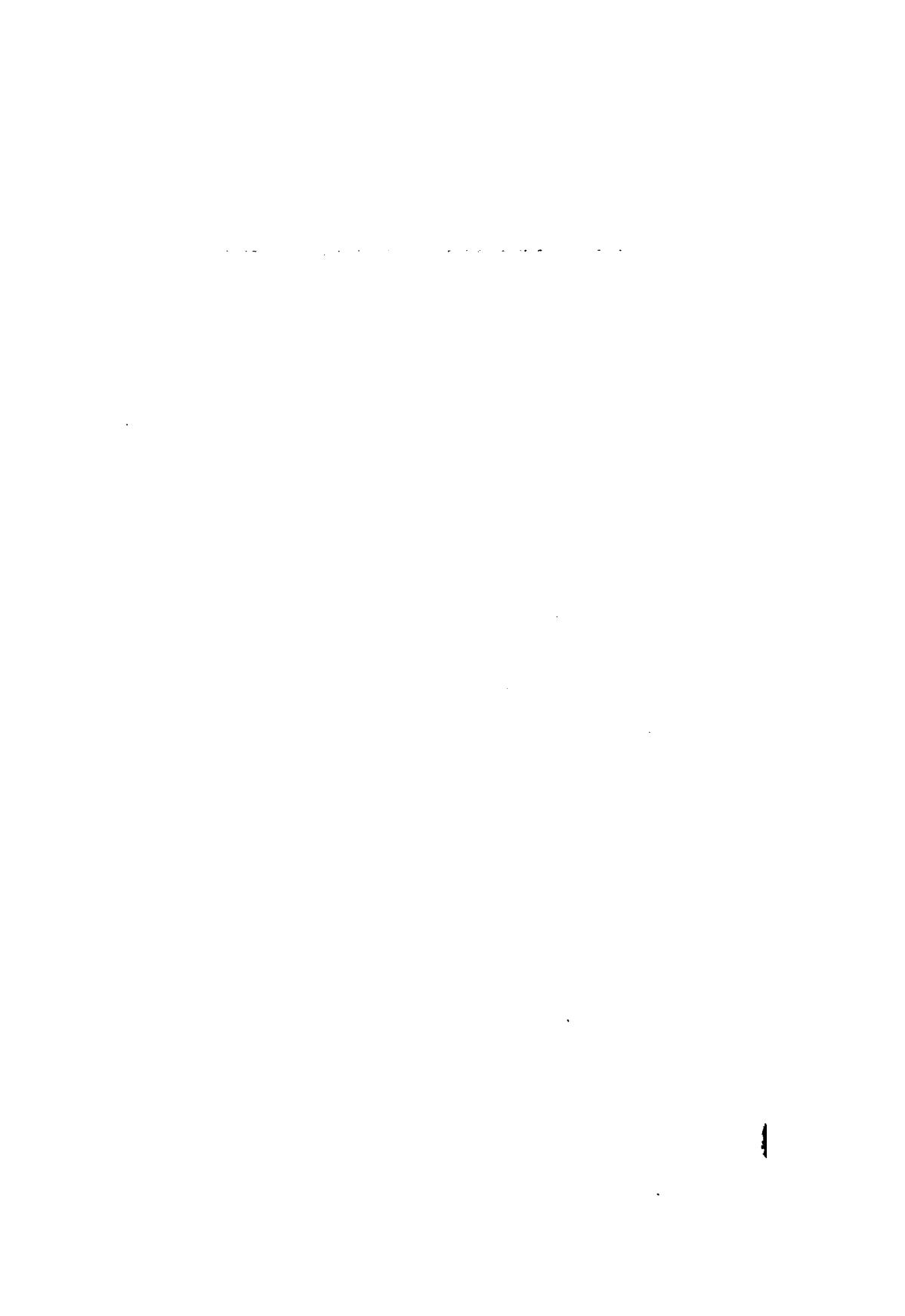
For information regarding the development of the northern part of the State immediately after the settlement of Prescott, I have to rely almost entirely upon the statements of old settlers, which are oftentimes quite contradictory. The first house erected in Prescott was built by Manuel Yeserea, of New Mexico, who came with the troops which formed the escort for Governor Goodwin and his party from Fort Wingate, New Mexico. Yeserea arrived on the ground December 24th, 1863, and, according to C. B. Genung, stopped his loaded teams just where Granite Street turns to cross Granite Creek at the south end of town. On that spot he erected a two-roomed log house, and covered

it with dirt. One room was used as a store, the other as a living room. The survey of the town of Prescott was started from that old log cabin, and the surveyors lived in the house in the following May when they surveyed the town. Yeserea, in the meantime, having sold his goods and returned to New Mexico. Judge Howard occupied this house a little later, and called it "Fort Misery." In it was held the first court convened in Prescott.

At this time Capt. Joe Walker and some of his party were living just across the South Granite Street bridge, in a log corral, with two sides covered and the center left open for a fireplace; this corral was just outside the present townsite.

The next store started was in a small log cabin on Granite Street, where California Jackson lived when he died. Herman Menassee was the proprietor. He was murdered by a Mexican at his store in Wickenburg some years later. About the same time Barnett and Barth started another store on Montezuma Street, about where the Scopel Building now stands, and partly in front of the Arizona Miner office. This was the first building erected in the new townsite after the survey. The building was of hewn logs, about twelve by eighteen, and was built by Steve Richardson for Secretary McCormick, to be used as a printing office, and in it was installed the plant which the Governor and Secretary had brought across the plains with them.

On Monday evening, May 30th, 1864, the citizens around Granite Creek met at the store of Don Manuel Yeserea, and the dimensions and boundaries of the town were agreed upon, and





JOSEPH EHLE.

the name of Prescott adopted by resolution in honor of the historian. R. W. Groom and Van C. Smith laid out the town, Groom being something of a civil engineer. In the absence of other instruments they used a frying pan. Van C. Smith, Judge Hezekiah Brooks and R. W. Groom were the commissioners for the sale of town lots. The historian, Joseph Fish, in his manuscript, says the first house erected within what was afterwards the townsite was "Old Fort Misery." By July 4th, 1864, two hundred and thirty-two lots had been sold in Prescott at public sale, and over \$12,000 was realized from such sale. R. C. McCormick paid the highest price for any individual lot, \$245.00, upon which was erected the printing office of the Arizona Miner.

One of the first men to locate in Prescott was Joseph Ehle. His family consisted of his wife, one son and five daughters. Mr. and Mrs. Ehle were married in 1841 in Iowa, from whence they emigrated to Oregon, thence to Denver, and on July 28th, 1864, they arrived in Prescott, where they located permanently. Mrs Margaret Ehle was born in Ohio on October 14th, 1817, and died in Prescott on November 4th, 1905. She was survived by her husband, who died a few years afterward at the advanced age of 99 years. Mr. Ehle drove in several hundred head of cattle, which the Indians confiscated. Accounts of his death and funeral are as follows:

**"DIES JUST SHORT OF THE CENTURY
MARK.**

"Joseph Ehle was Oldest Mason in World in
Point of Age and Membership.

"Telegrams from Los Angeles yesterday
brought the sad news of the death of Joseph

Ehle, the pioneer of all pioneer residents of Arizona, who passed away from old age on Tuesday.

"Had he lived until next March, he would have reached the goal of one hundred years. Of remarkable vitality, this aged man attracted the admiration and the attention of the many, so well was it known throughout the nation that his long race on earth had been attended with a distinction few if any had ever attained, in fraternal circles. He was reputed to be the oldest living Mason in the world, in point of membership as well as age. It is stated by authoritative sources that he had been a Mason since 1838, joining a lodge in the state of Iowa, seventy-four years ago.

"Aside from this feature of his citizenship, the deceased was a man of that sterling integrity and patriotic zeal that brought to his side friends by the score, and to his memory the tribute of his upright dealings with his fellow-men will be a beautiful chapter to close his earthly career. About three years ago his health began to decline, and he was taken by his daughter to a lower elevation on the coast. One faculty after another failed, when the wonderful machinery of a once vigorous frame gave way, and the inevitable followed.

"The deceased arrived in Prescott early in 1864, with his late wife and several children, many of whom survive, among them being his son, John Ehle, who still makes Prescott his home. From the beginning he identified himself with building up the country and to his credit he erected the first substantial home in the then wilderness, and which until a few years ago was situated on the southwest corner of Good-

win and Marina streets. This landmark has been supplanted by a modern row of brick flats. The old Ehle home, erected over forty years ago on North Montezuma Street, still remains as a symbol of his industry of other days, and which he occupied up to the last moment when he left the city a few years ago.

"The remains will be brought to Prescott today for burial beside those of his wife, who passed away nearly ten years ago. The deceased was a native of New York State."—("Prescott Journal-Miner," Thursday, November 28, 1912.)

"FUNERAL OF JOSEPH EHLE.

"On Sunday last the solemn rites of the Masonic order were pronounced over the remains of Joseph Ehle, who was one of the oldest of Prescott's citizens and the oldest resident in the county in point of years. He died when but a few months short of the century mark. The funeral services were most impressive, there being in attendance many of the oldest and most highly respected citizens of the county, the pall-bearers being Masons, some of whom had been associates of the deceased for a half century. During his residence here, deceased has seen Prescott grow from a hamlet of log houses to the thriving little city it now is, and in his long years of residence had become endeared to all because of his integrity and unfailing friendliness. His remains now lie in Masonic cemetery, beside the body of his beloved wife, who, at the advanced age of 88 years, was laid to rest in 1905.

"Joseph Ehle was born in Mohawk County, New York, in March, 1813, and when still a boy went to Canada, where he learned the trade of millwright. In 1834 he returned to the United States, and made his home in Iowa, where he was married to Miss Margaret Williams. About the year 1837 he was admitted as a member of a Masonic Lodge, and for the remainder of his long life was a faithful member of the order. In 1851 he went to California, leaving his wife with relatives, and later went to Oregon, where he erected a sawmill and remained for three years. In 1860, with his wife, he went to Colorado, where they remained until 1864. In that year he headed a party bound for Prescott, coming by way of the Santa Fe trail. In 1865 Mr. Ehle erected the first gristmill in Arizona, having previously built a log residence of five rooms, at what is now the corner of Goodwin and Marina streets, Prescott. In 1865 he established the government road station at Skull Valley, but in the following year returned to Prescott.

"Of the children born there were the following: John H. Ehle, Mary J. Dickson, Amy S. Sanders, Olive B. Crouch, Sarah F. Baker, and Margaret V. Foster. There were also twenty-four grandchildren and nineteen great grandchildren.

"The pall-bearers were E. W. Wells, J. C. Stephens, Fred G. Brecht, N. L. Griffin, C. A. Peter, Sr., and Wm. N. Kelly."—("Prescott Courier," Saturday, December 7, 1912.)

In October, 1863, the Lount party came in from San Francisco, numbering thirteen persons. The following month a party composed of twenty-four men arrived from Santa Fe, and

this party was closely followed by a second from the same place, who commenced sluicing on Granite Creek. This second party came in with the military under command of Captain Pishon. Within a year after the advent of the Walker party, several families braved the perils of an overland journey, and settled on Granite Creek. The first family to arrive was that of Julius Sanders and his wife and daughter. They came in with a packtrain in March, 1864. Miss Mary Sanders afterward became the wife of Samuel C. Miller in April, 1867. Other families arriving in 1864 were, Joseph Ehle and family, Daniel Stevens and family, consisting of a wife and a son and three daughters, T. M. Alexander and wife, with three sons and three daughters, Lewis A. Stevens and wife, John Simmons and wife, with two sons and a daughter, and J. P. Osborn and wife, with three sons and four daughters. Mrs. R. C. McCormick, the wife of the Secretary, came out in the same year, and died in childbirth in 1866 in the old Gubernatorial Mansion. Captain Leib and wife came with the Governor's party a little prior to the others, and located at old Fort Whipple. Mrs. Leib afterward became the wife of Judge Hezekiah Brooks. By the end of 1864 there were twenty-eight of the gentler sex in Prescott. Neri Osborn states that the first marriage in Prescott was that of John Boggs to a woman who came from California, whose name he has forgotten. The Fish manuscript states that the first marriage in Prescott was that of John H. Dickson to Mary J. Ehle, which took place on November 17th, 1864, Governor John N. Goodwin officiat-

ing. The first child born was Molly Simmons, January 9th, 1865.

William H. Read was the first clergyman to arrive in Prescott. He came with the Governor's party, and started a Sunday-school for boys, but no regular church organization was effected until June 14th, 1866, which was done by Mrs. Brooks, Mrs. Bashford and Mrs. Turner. The first ball held in Prescott was in November, 1864. The first regular meeting of miners was called for and held in Goodwin City, afterward called Gimletville, on December 27th, 1863, to make laws to suit everybody, particularly the Walker, Lount and Groom people. It is said they made all necessary laws, but could not make mines. Lumber was whipsawed at Prescott for the first buildings.

The first boarding-house for miners was presided over by "Virgin Mary," who built a log house on Goose Flat, and christened it "Old Fort Misery." Two goats furnished the milk, and the price: "Board \$25 in gold, per week in advance," hung from the latch-string. Shortly afterward a man by the name of Jackson started another boarding-house, and cut the price to \$16 per week in gold. Virgin Mary could furnish goat milk for coffee, which was an attraction, and to offset this Jackson occasionally had a few stewed apples. The main diet was bread, venison and coffee. "Virgin Mary was one of two women who lived in Prescott in 1864. Her name was never known, but she received her *nom de plume* because of her charity and benevolence. She died about 1888 on Lynx Creek, and her grave is unmarked and forgotten." ("Arizona Graphic," November 25th, 1899.)



OLD FORT MISERY.



Christy and Van Smith erected under contract, the old capitol building in 1864, of logs, which stood for many years. This was the old capitol on Gurley Street. Arizona's first legislature met in this building. Levi Bashford owned the property for more than twenty years. The original "Montezuma" building was erected in 1864. It was used as a saloon and stood where the Cabinet saloon and the Palace barbershop were located in later years. About twenty feet back of the "Montezuma" the first boot and shoe manufacturing shop was erected. It was built and owned by John Laughlan. Judge Noyes tells how prices ranged for these articles. He bought a very common pair of hand-made boots on July 4th, 1864, for which he paid \$37 in gold-dust. At this date currency was worth about fifty cents on the dollar.

D. Henderson & Co., had a general merchandise store near the creek. This place was later occupied by Fred Brecht and used for a blacksmith-shop. The first adobe building in Prescott was used for a saloon, but was later converted into a clothing-house by Cook and Bowers. "Old Fort Misery" on Goose Flat was the first courtroom. Coles Bashford and Judge Howard were the only lawyers. The "Bear Pen" stood opposite the residence of V. A. Stephens. Michael Wormser erected the first building on what is now the plaza. It was built of adobe and stood near the southwest corner of Goodwin and Montezuma streets. He also started what might be termed the first store in the place, buying out Chaves who had made an attempt in that direction. Hitchcock started soon after.

It was said that in 1865 at least three thousand placer miners were located in the various gulches around Prescott. General Rusling, in his work "Across America," said, in 1867, that Prescott had a population of between four and five hundred. There were ten drinking-halls, but not a bank or banking-house, free school, Protestant church nor missionary in the whole of Arizona. Prescott, however, was just the reverse of Tucson in almost every particular. Tucson was composed almost entirely of adobe buildings with mud roofs and earth floors, and shutters for windows. In Prescott the houses were American; they were supplied with glass windows after the American style. The inhabitants were Americans, mostly from California and Colorado, and some of them were accompanied by their American wives who had not forgotten the lessons of diligence and thrift learned in childhood. The books in the houses were American, and the newspaper was American. Not even a Spanish advertisement could be found in its columns. In one respect only were Prescott and Tucson alike, and that was in the gambling saloons. These were open Sunday all day, night and day the game went on. Prescott was a mining town with but few comforts. Says Fish: "Of all the cities of Arizona, Prescott is the most 'Eastern' in its character; it never had an era of the 'bad man,' never a time when it was customary to serve 'a man for breakfast,' or when it was a safe and popular pastime to 'shoot up the town.' In this northern district the facilities for obtaining supplies were limited; in early days the flour and beans were brought up from the Pima villages on pack ani-

mals, and the bacon, coffee, etc., were brought from Los Angeles by the same mode of transportation. But a little later most of the supplies were shipped in from the Colorado River, where they were brought up in boats. Before this prices were fearfully high; potatoes and onions sold at seventy-five cents to one dollar a pound, and it took a hundred dollars in greenbacks to buy a sack of flour. But notwithstanding the difficulties of obtaining supplies at enormous prices, the mines drew a large number here, and the place grew quite rapidly. There were Indian troubles and a lack of communication with the outside world. California papers were four weeks old, while those from the Atlantic coast were six weeks old."

Notwithstanding all these difficulties and drawbacks, the country began slowly to settle up, and ranches were being located in all favorable localities nearby where there was any protection given.

It will be noticed from the foregoing that many of the first buildings were used for saloons. C. B. Genung says:

"The first hotel was started and run by George W. Bernard, now of Tempe, and was known as the Juniper House, deriving the name from the tree under which the cooking and eating was done. It was very handy as a man could load up his plate with grub and go to the shady side of the tree to eat. About the time that Bernard opened his establishment, John Roundtree and Dr. Alsap opened the first saloon. That was opened under some large pine trees that grew on the lower end of Goose Flat. It was built of cloth and timber; a small wagon sheet

stretched over a pole which rested in the forks of two upright posts. The bar fixtures consisted of one ten-gallon keg of what we called whiskey; a half dozen tin cups and a canteen of water. The cups had handles, loose at one end, and the loose end formed a hook by which they hung around the chain of the keg when they were not in use. A tenderfoot would expect that ten gallons of liquid would have soon been exhausted. On the contrary, it lasted until the company had lumber sawed and a house built and opened up. This house was owned by the Osborn family of Phoenix." This according to Neri Osborn was built by his father and used as a hotel. The members of the first Legislative Assembly offered Mr. Osborn their per diem pay for room rent which was declined. The following year George Lount and his partner C. Clark brought in the first sawmill which was operated just outside the town limits of Prescott.

CHAPTER IX.

CONDITIONS IN ARIZONA IN 1863 and 1864.

RESULT OF WITHDRAWAL OF TROOPS — FURTHER LETTERS OF JONATHAN RICHMOND — PROSPECTING — LACK OF WATER IMPEDES MINING — HIGH PRICES OF PROVISIONS — ASSIGNMENT OF JUDICIAL DISTRICTS — METHODS OF EXPLOITING PROSPECTS — EXPENSE OF SAME — ORGANIZATION OF COURTS — FIRST TERM OF COURT OF YAVAPAI COUNTY — FIRST SESSION OF SUPREME COURT OF TERRITORY — SUPREME COURT REPORTS, IRREGULAR PUBLICATION OF — EARLY LAWYERS OF TERRITORY — COMMENCEMENT OF TERRITORIAL AND STATE LIBRARY.

As before noted, the troops having been withdrawn from the Territory, in 1863, everything was left in chaos. Fields were abandoned, mines deserted, and towns depopulated all through the southern part of Arizona. The Indians were practically left to roam at will and murder and rob at pleasure, the only resistance being on the part of a few Mexicans and whites congregated in and around Tucson, and the Pima, Maricopa and Papago Indians. The state of affairs as it existed in Southern Arizona at that time cannot be better described than in the following series of letters from Jonathan Richmond to his relatives in Grand Rapids, Michigan, to whom we are indebted for a graphic description of the journey of the Governor's party across the plains to Prescott, and the condition of affairs in Northern Arizona. These letters are as follows:

"Tucson, Arizona Ter.

"April 2nd, 1864.

"Dear Father:—

"When we arrived on the 28th ult., from Fort Whipple and the mines, found Judge Howell and Ex-Gov. Bashford comfortably located in a doby building adjoining a *horse corral*, (aristocratic).

"My experience in the mining districts I suppose you are anxious to learn of. So, using a sea phrase, 'Here you have it.' I left Fort Whipple on the morning of Jany. 25th. My companion and ever stanch friend, Moses B. (jackass) bore upon his back some of the luxuries of these wilds, i. e., a few pounds of flour, bacon, beans, and coffee together with my mining tools, consisting of a pick, shovel, and mining pan, in all about one hundred and twenty pounds, a light load for a jack, which can easily carry from two hundred and fifty to three hundred pounds. On camping at night at Forbes, Sheldon & Smith's Ranch, (one mile from Granite Creek Diggings, and twenty-five from Fort Whipple), I was joined by my friend, Wm. Thompson, who came from the States with us as Deputy Postmaster, who joined me for a prospect in the mines.

"Daylight of the 26th found us en route by a trail for Walker's Diggings some fourteen miles distant, which place we made about five p. m., having crossed five of the highest mountains in the country, besides passing through several dangerous canyons where our eyes were pretty busy reconnoitering for Mr. Tonto Apache, who very frequently gets the 'fall' on the 'honest miner.' We stopped at the first cabin on the

Gulch, and in the morning strolled up the Gulch six miles, the distance which is 'claimed.' On our return we dined, by invitation, with Mr. St. James, a gentleman from Denver, Colo., who has a store on the Gulch. He gave us some valuable information regarding the mines, laws, etc. He also introduced us to Mr. Smith, Recorder for the District, who politely opened his records and presented us with a written copy of the laws.

"We found that the mines were not worked to a great extent on account of the scarcity of water. There were while I was there but a few claims which had water on them. The workers of the few lucky claims were making from ten to one hundred dollars per day. Many claims had been taken up by miners who have since left the country and are now 'jumpable,' the law requiring that each claim shall be worked every ten days in order that the claimant may hold it.

"During the night snow fell to the depth of three feet, and quite a number of 'hackells' (small cabins) were hidden beneath the drifts. At roll-call Mose turned up missing, and a search was immediately instituted by my partner and myself. We started for the side of the mountain where the snow was not so deep as in the Gulch; thinking he might have strayed in search of the very scarce article of sacarta, (grass). After looking around for about an hour, thinking whether or not we had better give up the search, we stopped to rest and consider. Thompson sat down on what he supposed was the fallen limb of a tree. Imagine his surprise at being suddenly pitched headlong into the snow by the rising of the lost jackass which had

been so snowed in as to leave only the top of his head and his ears exposed, forming a tempting chair for his weary pursuers. By means of a good deal of hard tugging we got the old fellow down to the cabin before a blazing fire where he gradually thawed out.

"We remained in the Gulch ten days, prospecting several deserted claims, but found nothing that would warrant our locating. Many of the miners were about leaving to join the Gov.'s expedition going East to the Francisco and Salt Rivers, seeking a site for the capital in a region which many supposed to be richer in minerals than any yet discovered.

"On leaving Walker's we returned to Forbes ranch, where we met Surv. Genl. Bashford and Atty. Gage. The Surveyor being anxious to make prospects and get specimens and information in view of a report to the Dept., we joined him and put in a sluice on Granite Creek, which we ran until the water failed, (forty-eight hours), finding gold in almost every pan of dirt. As soon as the water fails, the digging suspends, the miner fails, pulls up stakes, and leaves. There are in Walker's, Granite Creek and the Hasiamp Diggings, about four hundred miners, most of whom have located quartz leads (lodes) and are holding on for capitalists to come in with means and machinery. The country is rich, but the scarcity of water ruins many a man's castles.

"On returning to Fort Whipple Mar. 4th, I joined a small party, Maj. Duffield (U. S. Marshal) and others, about starting for Tucson. (I joined them and started on the 5th.) We made our first camp about twenty-five miles

from the Fort; signs of Indians were numerous, but with a watchful guard, bowie knife and pistols at our belts, shot-guns with charges of eighteen six-shooter bullets to the barrel, within reach, we straightened out upon a soft rock and slept as comfortably as has been usual since our arrival upon the red man's hunting grounds, intrusting ourselves to Him who watches over the virtuous and the good. Since Morehouse and myself had that severe skirmish with the Indians before reaching Fort Whipple, my forelock seems dearer to me than ever.

"At about daybreak Capt. Butcher of 11 Mo. Vol., came up with a detachment of his company, having left Fort Whipple during the night upon hearing that the Indians were in strong force upon the lower Hasiamp Diggings and had killed that day five Mexicans and three Americans. The Capt. thought it unsafe for such a small party as ours to proceed further, and advised us to go with him to the Hasiamp, whence, if necessary, he would give us an escort. We acceded, of course, and were not long making up our minds, knowing that by going with him we were sure of protection and but about twelve hours out of our time. On our arrival at Vickroy's cabin on the Hasiamp, we found about fifty miners congregated for protection. Indians had been seen at different points during the day and a large number of campfires appeared at night on the mountains. The Major being anxious to proceed southward, in the morning we were furnished with an escort and proceeded via trail to Antelope. We passed the dead bodies of the five Mexicans who had been killed the day before. They were muti-

lated in the most horrible manner, heads, ears, feet and legs cut off, etc., etc. Fifteen arrows were in the body of one. The fires around which these Indians had had their war dance were still burning. It was an awful sight.

"We arrived at Antelope, (Weaverville), about dark. Here is where gold was found on the top of a mountain and from forty to fifty thousand dollars taken out with jack-knives. There is a man here in Tucson who was one of the first to discover the 'rich claim.' He has one piece which weighs \$92, and twelve nuggets which weigh over \$700. He has at several times taken out thirteen pounds in three hours, \$3,120.00. What do you think of such diggings? There is no gold to be found about there except on the very summit of the mountain, which is in the hands of a few men.

"We left Antelope on the 10th of March and proceeded via Pima Villages (Pueblo Indians) to Tucson. In a future letter I will give you a plat of this town with a description of the houses, inhabitants, mode of living, etc.

"There is not a doubt but that this is the richest mineral country in the world, but the scarcity of water prevents the placer (surface) diggings from being developed. There are parties en route from California, I understand, who intend putting into operation quartz mills in the different districts. We await the results. I was shown yesterday a gold bullet which the holder took from the pouch of an Indian he had killed. He had found it with several other lead and stone bullets in the Indian's pouch.

"The silver mines below here are getting ready for operations. One, the 'Mowry' I

understand has been running for some time. It will be impossible for either the gold or silver mines to be worked successfully until the Indians are exterminated. Their depredations are of daily occurrence. I have a good Utah horse which would readily bring \$100 in the States, which I offered for \$40, but found no purchaser. All in this section had rather, at present, invest in a faro bank, than in livestock. In the former there is some hope, but the latter is confiscated sure when Johnny Apache makes his round.

"Provisions are at present very high, flour .25¢, bacon .60¢, coffee \$1.00, sugar \$1.00, eggs \$1.00 doz., the rest in proportion.

"There are two Cal. Companies stationed here, both of which are on half rations.

"I will make inquiries and investigations in regard to the mining interest here, and write at length in my next.

"Regards to all.

"Your son,
"JONATHAN.

"To Wm. A. Richmond,
"Michigan.

"Tucson, Arizona,
"April 3d, 1864.

"My dear Parents:—

"By this mail I write you giving you my experience in the mines, which was by no means limited, I being between three and four weeks in the different districts. Gold, silver, copper, tin and coal are to be found in abundance in the Territory of Arizona, but the great requisite for developing the gold mines, i. e., water, is not to be found when needed.

"Some to be sure have acquired fortunes in a short time, having struck a rich lead, but more are to-day working for their board. Parties are anxious to prospect further east, but the hostilities of the Indians prevent people from scattering. Should the Indians be well whipped, as there is hopes at present, I think many new and important discoveries may be made.

"The silver mines are considered by all to be far the more reliable. A gold mine is sometimes worked out in a short time, while a silver lead is a life estate. There are the Mowry, Patagonia, Eagle, San Pedro, Empire or Montezuma, Santa Rita and Mariposa, which were before the war worked to considerable extent, and there is now hope of their again thriving, providing they can have the necessary protection against the Indians.

"Provisions are, at present, very high; while in the mines flour was worth 35¢ per pound, and everything in proportion. Here flour brings 25¢, bacon 60¢, sugar \$1.00, beans 50¢, etc., etc. Flour is, I learn, selling in the mines for \$50 per 100#.

"There are extensive and good farming districts hereabouts and people anxious to work them, but there is no safety for a man outside of the town limits. Hence the exorbitant price of provisions.

"The following letters I received before leaving Fort Whipple: Rebecca's of Sept. 27th/63; yours of Oct. 12th from New York. Yours of Nov. 18th/63, covering dft. Leelyard & Fralick on Metro. Bank for \$50, for which receive my thanks. Rebecca's of Oct. 12/63. Yours from

Washington Dec. 10th, New York Dec. 21/63,
and Mary's from N. Y. Dec. 30th. Those with
the two received at Santa Fe, are the only
epistles which have come to hand since leaving
home.

"The Gov. is expected here tomorrow, when
a location for the capital will probably be de-
termined. Everything is behind. The Judge
has, as yet, no power to act, which of course pre-
vents me.

"I think I shall be able to make my expenses
the first year from my fees, probably more. I
think that if I have time to look around I might
get hold of some silver mine, still I do not think
mine, or even the judgment of the Judge, would
warrant a move in the matter, still, should you
feel like placing capital at my command, say
\$1500 or \$2000 for prospecting and opening a
mine, I will put my best foot forward to the
work.

"If Uncle Fred would like to come out here,
let him come. Not on my say, however, for I
never shall advise any person to come on this
coast. Not that I have anything against the
country, climate (the finest in the world), or
people, but many coming by the advice of others
get discouraged and blame their advisers. I
have undertaken the trip, am located, and am
satisfied (that's a big word for me). If he
should conclude to come, my advice as to route
I fear, is poor. By stage from Kansas City via
Santa Fe to Mesilla on the Rio Grande, 300
miles from here. He could come in about
eighteen days at an expense of at least \$200, and
40¢ # for baggage over 50#.

"From Mesilla he would have to wait until some train was coming through, or buy a good horse and come through with the military express. Should a party of ten, fifteen or twenty wish to emigrate, the following would be my advice: Purchase two, three or four light wagons or ambulances, cost say \$250, eight or ten good mules, not *under six years of age*, load your wagons light, say eight or ten hundred pounds. The following articles I think in the way of provisions advisable to bring for use only: Flour, bacon, coffee, tea, sugar, beans, dried apples and peaches, butter, a barrel of crackers, eight or ten doz. boxes yeast powders (an overplus would readily sell here at good advance), rice, hominy, lard, keg of molasses, matches, powder, and what assortment of can fruits you think necessary. Grain for animals can be purchased at different points on the road. A little should be kept on hand, and as your provisions are lightened, fill up with grain. A few water kegs for making dry camps should be slung under the wagons." (Letter incomplete.)

"Tucson, Arizona Territory,
"April 20th, 1864.

"My dear Father & Mother:

"I recd. yours of Feby. 13th by yesterday's mail from Fort Whipple. I have also by same mail letter from Charley Weaver (Ray) forwarded by you. You make many inquiries to which I cannot, as yet, make decided answers, the capital not being located, the movement and stationing of troops not being complete, and the country being altogether in an unsettled condition. We hope within six months to be able to give an entirely different account of affairs, for

CONDITIONS IN ARIZONA IN 1863 AND 1864. 227

the Gov. and his officials are working with all their might to bring order out of confusion. However, shall give it to you as my *opinion* which the Judge, will I guess, endorse:

"This territory is rich in minerals, probably by developing will prove to be the richest in the world. Gold, silver and copper are to be found upon prospecting, in all sections of the country.

"Sylvester Mowry, Esq., President and principal stockholder of the Patagonia Mining Co., has a copy of a map drawn in 1757. The original was presented by the Society of Jesuits to the King of Spain.

"The reports of the immense mineral wealth of the new country made by the Jesuits induced a rapid settlement. There are laid down on the map more than forty towns and villages. There were a few north of the Gila River, and several on the lower Gila near the Colorado. The Santa Cruz and its tributaries and valleys teemed with an agricultural and mining population (Spanish). Thousands cultivated the rich valley of the San Pedro, and scattered settlements flourished at every suitable stream and spring at the foot of the mountains towards the Rio Grande.

"In the western part of the Territory were the missions of St. Pierre, St. Paul, St. Matthias, and others. On the Santa Cruz the missions of San Xavier del Bac, and Santiago, the towns of Tucson, Tubac, and many others.

"At San Xavier, nine miles from here up the Santa Cruz, stands the mission church of San Xavier (some two hundred years old). It is of great size, built entirely of brick, and is magnificently ornamented within. Forty thousand dol-

lars in solid silver still adorn the altar. The church is surrounded by a Pagago Indian village, a few tame Apaches, and a few whites also live under the shadow of its towers. Judge Howell went down to visit the church soon after his arrival here, but I have not yet had an opportunity. Two years ago a cross of solid gold, six feet high, weighing five tons, was taken from its altar down into Mexico. There are evidences everywhere about corroborating the strange traditions of the country.

"Most of the mines which are about to commence operations below here, Patagonia, Santa Rita, Mariposa, and others, were first opened by the Spaniards many years ago, and deserted on account of the Indians. There are many men here in town who have silver lodes (or veins) but have not the capital to open and prospect thoroughly. These claims may be purchased from \$400 to \$1,000 each, provided upon opening they would pay to work. The gold mines lay north on the headwaters of the San Francisco and tributaries. They are rich but the scarcity of water has prevented a thorough development. There are, I understand, several quartz mills en route from California.

"Provisions are at present so very high that more mining companies do not commence operations. Mr. Hopkins, Agt., for the — Copper Mining Co., is here, but will not commence operations at present on account of the exorbitant prices of provisions: flour 25¢; coffee \$1.00; tea \$2.00; beans 30¢; eggs \$1.00; lard \$1.50; bacon \$1.00, and everything in proportion. People cannot make anything in even a rich country where it costs so much to barely

live. The reason for this state of things is that people have not been able to cultivate the valleys on account of the Indians, and all of the supplies have been brought from Cal. or Sonora, where duties are collected.

"The Gov. before leaving Fort Whipple, appointed King Woolsey (an old mountaineer) on his staff, with rank of Lieut.-Col., and gave him provisions and ammunition for a campaign against the Apaches. He was not long in raising a party of one hundred miners, and is now on the war trail. Troops are to be sent out from Fort Whipple and this place soon and hopes are entertained of a speedy extermination.

"Arizona will have no peace and her great wealth must remain undeveloped until this is accomplished.

"The Gov. before leaving for Tubac and the silver mines last week issued his proclamation designating the Judicial Districts and assigning Judges, appointing time of holding court, etc.

"The Territory is divided into three Districts. The first comprises all the section south of the Gila, Judge Howell, assignee, place of holding court, Tucson; times last Tuesday in May, to continue two weeks, and last Tuesday in October, to continue two weeks.

"Judge Allyn is assigned to the Second District to be stationed at La Paz on the Colorado. Chief Justice Turner is assigned to the Third District, to be stationed by subsequent proclamation, probably when, if ever, a site for the capitol is found.

"Judge Howell, on being assigned, at once gave me the appointment as clerk, took oath, etc.

"You write about sending safe, stock of goods, etc. Either of your safes would probably pay you here. Could, as you say, take deposits or sell to the Treas. Dept., but the cost of getting here would be not less than \$500. Freighters had much rather transport goods at half the price than to take the responsibility of getting a safe weighing 2500 lbs. through here.

"A stock of goods is what money is to be made on. Everything sells here at a profit of from two to three hundred per cent. Coffee, sugar, tea, cocoa, bacon, lard and butter in 10 lb. cans, factory cloth, calico, canned meats, assorted, canned fruits and jellies, Yankee notions, stationery, *soap, candles*, liquors (good brands), champagne, bitters, tinware, camp kettles, frying pans, axes, whip-saws, ammunition, pistols, derringers and six shooters, raisins, dried currants, etc., matches, hoop skirts, shirts, pants, coats, etc., *paper collars, shoes, boots, gaiters*, yeast powders, saleratus, salt, in fine, everything usually kept in a first rate store in the East, both groceries and dry goods; never mind silks and satins in bill of dry goods, but everything in the calico line. Flour, beans, corn and dried peaches, quinces, can be purchased here at the proper season very reasonably. In my former letter I wrote it would not do to bring out goods, thinking by the way you wrote that Charley Mosley, or some one wished to bring out a few hundred dollars worth, which I say now there is no need of. If a person intends bringing out a stock of goods, bring a big one, it will all sell.

"Goods can be purchased probably very reasonably in Cal., shipped to Guaymas, Sonora, by boat, and then brought here by wagon train

three hundred miles, but the duties would probably be as much as the freight via Santa Fe.

"Wagons and mules, large ones not under six years old, would bring a good deal more than cost, provided they were got through all right from the States. A person can do well freighting here for mining companies, from six to ten cents per pound from mines to Fort Yuma or Guaymas, etc." (Letter incomplete.)

"Territory of Arizona.

"Office of the United States Supreme Court.

"Tucson, May 5th, 1864.

"Dear Father:

"Mail after mail and yet nothing from home. I have given up all hopes of hearing from you before fall, or until this blasted military leaves the country.

"The Governor returned from the silver mining region a few days since. He returns to Fort Whipple the first of the week.

"It is not yet determined where to call the first Legislature. It is not at all probable that it will be called here first, but ultimately (on motion of legislature) it will, without doubt, be at this place.

"Since my last I have been to San Xavier, nine miles below here, to visit the old mission church, one of the wonders of the world. The building, in places, shows signs of decay, and the inner walls have been very badly mutilated, probably by the Indians. (There are over twenty statues of life size carved out of solid wood which are considered by many to be a study for modern sculptors.)

"I also started for the silver region of Santa Barbara last Friday, together with Majors Stick-

ney & Duffield (U. S. Marshal) who have interests there. We were out twenty-hour hours, being in the saddle all of the time, when we returned, having lost the trail, but found many fresh Indian trails. We gave it up being unable to find the trail which it was necessary we should do to get to water. We will not undertake it again before the middle of June after Court. Then I am in hopes to spend some time in that section.

"Interests can be got in many lodes, but as for working one without an immense capital, it would be foolish. It is as Mowry says: 'It takes a gold mine to work a silver one.' I have made you acquainted with my ideas of silver mining, but will repeat. Interests, $\frac{1}{2}$, $\frac{1}{4}$, $\frac{1}{6}$, $\frac{1}{8}$, or a whole mine may be bought upon prospecting it for from \$200 to \$1,000. After purchasing, sink a shaft, produce specimens, send to New York, San Francisco, Smithsonian Institute, Washington, with label or stamp, and wait the action of capitalists, and when agents are sent out to inspect, show them around and, if possible, sell them a claim say for \$3,000, \$4,000 or \$5,000.

"I wrote you in regard to forwarding goods which I think would be justified either from the States or San Francisco. Goods can be bought there for greenbacks and brought here in the mines and sold for gold and silver. Should you conclude to forward me a stock or place funds for the purchase in San Francisco, say \$5000 or \$6000 to start on, I will, I guarantee it, double it in a year's time. Had I money here to work with I could make a spec in the street; for instance, a man comes in and has a wagon to sell cheap; buy, hold on for a day or two, and sell

for double. Same with grain in the season. Prices in this country fluctuate hourly. To operate in any way funds must be placed in San Francisco. No one here takes drafts on N. Y. or the East.

"I am very busy making copies of Gov.'s Proclamation assigning Judges, etc. Business for courts comes in all at once. Have many suits on hand. Mail leaves. Will write giving account of Tucson and vicinity soon as business lets up a little. Much love to all.

"Your son,

"JONATHAN.

"I can attend to business outside without interference as soon as Court is over, May 31st."

"Santa Rita Mine,
"Arizona, Aug. 17th, 1864.

"Dear Father:

"Your letters from New York (June 3d & 6th) were recd. just before I left Tucson. Should like to go ahead and open and prospect several silver lodes which I have in view, but in the absence of my friend, Judge Howell, with whom I am to operate, I am required to hold on, which I am very sorry for fear that others may step in and endeavor to become interested. Things are at present very changeable. *Green-backs* will not go here at all. The stores in Tucson are all closed and will probably remain closed until the news from the States is more favorable. I left Tucson ten days ago in company with Mr. Wrightson, Prest. of the Santa Rita Mine, Mr. Hopkins, Agt. of the Maricopa Copper Mine and Dr. Locke, of Cincinnati. We have visited the mines in this vicinity, done a little surveying, and to-morrow, weather per-

mitting, shall start for Sonora to purchase beef cattle, sheep, fowls, &c., &c., &c. Shall be gone ten days. I shall not go up to the Legislature, being short of funds and not being able to see where I can make the ends meet. I shall return to Tucson in time to attend the Court in October.

"Will you please send me, either by Judge Howell, or before, the things which I sent for, with the following: Four or five *good* French flannel shirts (to wear in place of white), several brown linen shirts, and two or three extra thick pants *good* quality and fashionable style. Several pairs of boots, socks, &c. &c. Goods are very high here. Pants worth from 18 to \$30 gold, and everything in proportion.

"Should you conclude to invest at the present state of things, have the drafts which you forward made payable in San Francisco. The persons of whom I should buy would be mostly Mexicans, and I could purchase for very low figures by drafts on California.

"I write in great haste. Love to all.

"Your affectionate son,

"JONATHAN."

"Arizona Territory, Tubac, Oct. 3rd, 1864.

"Dear Father:

"As I promised in my last letter to you from the Santa Rita to give you a brief account of my trip into Sonora, in the following I comply:

"I left the Santa Rita Silver Mines in company with Mr. Wm. Wrightson, Mr. Locke, Mr. D. G. W. Hopkins, Agt. of the Maricopa Copper Mining Co., and four others on the 17th of August for the purpose of buying supplies for the Santa Rita (in Sonora).

"Our first drive was to Calabasas, an old Spanish fort twenty miles south of this place, where we camped for the night. The fort is occupied as a vidette station by a few of Company L. 1st. Cav. C. V. We crossed the line about nine o'clock on the following day, some twelve miles from Calabasas. A large stone monument marks the boundary, the Lat. and Long. being given on its face. A few miles below we passed the remains of a horse and its rider, a Mexican boy, which had been killed by a party of Indians the day we left the mines. There were three in the party two of which escaped with slight wounds. At five o'clock in the afternoon we camped at Elias ranch twelve miles this side of the first Pueblo (village) in Sonora. On the following day we drove twenty miles passing down a rich valley through which flows a never failing stream of water. After passing the first town (Imeras) we found the valley under cultivation, corn, sugar cane, and tobacco being the principal products for the second crop, the first throughout the entire country being what is harvested in June and the ground prepared for the crops mentioned as now maturing. On passing through the village we would see fine orchards with trees drooping with fruits, oranges, pomegranates, figs, quinces, etc., in the gardens. Melons in abundance were to be found, which, by the way, are a common luxury during the entire year. At dark we dismounted at the house of Hosa Elias in San Ignacio, having passed through the villages of Imeras and Terrenate. San Ignacio is a small farming town of about eight hundred inhabitants, Hosa Elias being one of the most extensive dealers

with whom the mining companies of Arizona deal. A contract for the necessary supplies was entered into, and on the following day, at day-break, our horses at the door, well fed and curried, we were not long in mounting and off for a 'paciar' to Magdalena, six miles below. Magdalena is one of the largest cities in Sonora. There are several extensive dealers who have large stocks of goods on hand, and are continually filling orders from Arizona and Northern Sonora. We remained in Magdalena but one day, returning to Ignacio where we remained one day feasting on the luxuries of the land, which, in my opinion, surpass those of the Orient.

"We returned by the same route, arriving here, on the 24th Aug. and at the mines on the 25th. I left the mines on the 26th Sept. intending to return to Tucson, and be on hand for the fall term of court to be begun and held on the last Tuesday of this month. On arriving here I learned that there were but six white men remaining in Tucson, the delegates to the Legislature having answered the call of the Governor by going north; many having left with the troops for the Rio Grande, and others whom I met here with their families, en route to Magdalena to attend the fiesta on the first four days of this month. H. McWard, Deputy Collector of Customs at this place, wishing to join them, by his desire I agreed to act the part of Collector during his absence, knowing it would be impossible for me to go to Tucson before the parties return from the feast.

"Your partnership letters to Judge Howell and myself I have duly acknowledged, but would

now give you an idea of the situation of this country, when you may judge if an investment at the present state of affairs would be advisable.

"The troops that have been stationed in this part of the territory have enabled what few white settlers there are here, to get a start, some prospecting and opening mines for market; others raising stock, etc., and all in a fair way doing well, but what should come but an order withdrawing the troops from this section of the country, (with the exception of one company now stationed at this place). The whites are obliged to gather into the towns for protection until they can see some opportunity of getting out of the country, leaving everything behind.

"The only hope that the Tucson people have is that the Legislature will be adjourned to that place; if not, the people will be in readiness to leave the country. But two days ago a train of wagons belonging to Mr. Solomon Warner was attacked, the men killed and the property destroyed within twenty miles of here. The Indians got six good guns, a number of revolvers, ammunition, etc.

"The Silver Mines which are working in this vicinity are obliged to keep a strong force. The 'Serra Colorado' has employed about sixty white men, and about one hundred Mexicans. The 'Santa Rita' has but eight men all told, but there is a few of Co. L, 1st C. C. V. stationed there until they can get men. If these troops should be withdrawn, which is very probable, they would have to give up work.

"Now a few words on mining. Mines or parts of mines can be bought at a very reasonable figure, say from \$100 to \$400 (*in gold*). Mines

are not to be bought in this country for *GREEN-BACKS*. The help employed are also to be paid in *coin*; provisions purchased with *coin*, or bought in the States for greenbacks and sent out. A lead (properly lode) can be purchased before it has been prospected to any extent, or a contract may be had with the owner or owners to sink to a certain depth, say 30 ft., I paying half the expense of sinking shaft. When at that depth by assaying, the ore shall pay 90\$, 100\$ or 200\$ to the ton, he or they should receive the amount mentioned in contract for said lode.

"To go and open a mine say only as I have stated (to prospect it) we would need say two white men, and three or four Mexicans (no less) say for one month, the expense would be, as near as can be got at as follows:

"Mexican labor, 5/- (shillings) day in coin & rations (16lb. flour a week).

"American labor, 30\$ to 40\$ a month in coin and board.

GOLD

Wages of two Americans for 1 month \$30 & \$40	\$70.00
Wages of four Mexicans for 1 month @ 5/-	72.00 Labor \$142.00
Flour issued to Mexicans (16lb. week) 256lb @ \$12 gold	31.00
Provisions for the boarders for 1 month: 100 lb. flour @ \$12.00; 10lb. Coffee @ \$2.00; 100 lb. Pork @ 75¢, \$75; 10 lb. Sugar @ 75¢, \$7.50	114.50
Rice \$10.00; Beans \$5.00; Dried Fruit \$5.00; Salt, Pepper, etc. \$5.00.....	25.00
Tools, rope for windlass and other necessary articles, cooking utensils, etc.	25.00
Transportation to mine from 2 to 3¢ per pound, say 900 lbs. @ 3¢.....	27.00
	<hr/>
	\$364.50

"The Mexicans who are employed are allowed as stated above, 60¢ a day and a ration of 16 lb. flour a week; their coffee, sugar, &c., they are obliged to purchase at a light advance on the cost. A good supply of goods are kept on hand at all the principal mines, their Peons, (Mexicans), being good customers, oftentimes drawing goods to the amount of their wages. It would be to the interest of the mine when once opened to purchase their supplies in the States.

"It would be very difficult at the present time to get white labor, but by looking out and being on hand, men may be found.

"In working a mine it is necessary to have at least half the number of white men that you have Mexicans; the latter are so treacherous, being ready at any moment to plunge a knife into a white man. Col. Poston's brother was killed while in the store at the 'Serra Colorado' and Mr. Wrightson's brother was killed here where I am writing, by Mexicans.

"Now for the greenback question. They are not worth 25¢ in this territory. They will not go excepting at one or two stores where they are selling out in hopes of getting out of the country. There they are taken at from 20¢ to 25¢ on a dollar. Pretty state of affairs when the U. S. allows her currency to depreciate to that, when those who can get nothing else but the blasted stuff have to pay out all they can earn to keep them alive. Think of my office 25¢ for drawing up and taking affidavit, 50¢ for Writ of Attachment, etc. My paper costs me \$2.00 a quire. Can anyone expect me to do well at such rates? You give Judge H. and myself power to draw partnership drafts on you to pay the

expenses of opening and testing several mines. The money is not here, besides a draft on the East goes at a discount when negotiated. The only way, if funds cannot be sent here, would be to have them placed in San Francisco (Wells-Fargo & Co.) or with other parties on whom the Judge and I, jointly, could draw drafts payable either in gold or paper as the circumstances might require.

"We have no communication either with California or the East at present. The Military Express mail has been taken off. God only knows when another will be put on. I send this by a portion of this, the last company of soldiers in this part of the territory. They leave today.

"Judge H. should be here to see Tucson and vicinity depopulated, the troops leaving, etc.

"Should a mail route be opened through Tucson from the States to California, there would be a prospect of the country's being populated and developed, but until then, communication being cut off, there is but little hope.

"If Judge H. was here and we furnished with funds, we could, at the present state of things, purchase claims very reasonable (for coin); get them recorded, and hold on until spring, by which time we should probably be able to open them.

"Should it so happen that we should get the capital here everything would advance 100 per cent, (Mines, ranches, etc.). The mines which I have in view are about seventy miles West by South from Tucson and but one hundred and fifty miles from the port of La Libertad on the Gulf of California, State of Sonora, Mexico.

"The Port of Libertad is one of the best sea ports on the Coast, having depth of water for the largest vessels afloat and being well protected. That part of Sonora, including Libertad, will, in all probability, be purchased and annexed to this territory before long. The wagon road from Tucson to the Gulf is good, but there is a scarcity of water.

"Write what we shall do, and as soon as the Judge arrives we will attend. I am very much in need of boots, pants and shirts. Boots are worth here, kip \$30.00; calf shoes \$15.00; pants 25\$ and 30\$; shirts \$10 to 15\$. Had I the funds would send you to purchase, but I have barely enough to purchase *grub* with. Your draft for 50\$ I have not yet used. I should like for you to send by the Judge two of those new patent steel collars enamelled. They are very good for this country, being cleaned with a wet rag, (I say 'rag' because that is about all we have here), size 15 $\frac{1}{2}$.

"When or how we shall get our next mail I know not. As soon as we have a mail we can depend on, I shall send Mother and Grandmother the 'Arizona Miner.' I am already a subscriber. Much love to mother and the girls and regards to friends.

"Yours &c.,

"J. RICHMOND.

"N. B. If not too hard on your pocket, I would like to have you send me a *Colt's largest size revolver* with accompaniments. The one I have (Smith & Wesson) does not carry lead enough. I am on my way to Tucson to attend the court. Please say to Judge H. that I have

by the next opportunity. There is nothing new to write about here excepting the dullness of the place, and the great scarcity of that (never can do without) money. Was the Judge here, under the new law we could purchase and open one or two mines, get them recorded, and have good title, etc.

"Good-bye. Love to all. Regards to all, Judge, etc.

"Your Son,

"J. RICHMOND.

"Do not let the Judge forget a pistol for me, large size, Colts, ammunition, &c. Powder worth here \$12. per pound in gold.

"Tubac, Arizona, May 31st, 1865.

"Dear Father:

"Your kind letter of the 25th March with enclosure, First National Bk. Aurora, on the 4th Nat. Bk., N. Y. is at hand. It is some time since I had received a letter from you, and I have read this one over several times and have compared the prospects of this country with those offered by you at home in a civilized community.

"There is but little doubt but that this country is rich in mineral but it will take years to develop it. Most of the veins in Southern Arizona are found in a barren range of mountains where vegetation is unknown, water is scarce, if to be found at all, and wood is out of the question. Sage brush, saguaro, and grease wood is found only in sufficient quantities for cooking purposes. The veins are distant from the depots of supplies. The war in Sonora has cut off the transportation through that country and the only source we have now to expect is from California

CONDITIONS IN ARIZONA IN 1863 AND 1864. 245

via Fort Yuma. The Cerro Colorado Mining Co., have suspended work for the third time. Their men are all thrown out of employment with no means of getting out of the country. The Santa Rita company have also suspended work with no money to pay it off.

"Mines cannot be worked here as in Cal., where they have the advantage of an extensive seaboard, a large inland supply, and a population sufficient for the protection of miners and freighters. The Government is sending troops in to this country for the purpose of cleaning out the Indians; how many troops have been sent to this country within the last eight years with like orders! They are sent here to lay around in quarters until their time is out, when new recruits occupy their place. They have done but little good in the protection of people who are desirous of developing the country.

"My roving disposition is satisfied. I think I have seen it all and am now willing to settle down as you recommend. If it is agreeable, I will go East with that intention, bringing with me specimens and surveys of a few mines which I may dispose of provided there are purchasers.

"Gov. Bashford left some six weeks since for the East. He was anxious for me to accompany him. He left disgusted with the country.

"Much love to all.

"Write soon.

"Your son,
"JONATHAN.

"There is no prospect of our having a court here this year. Everything is upside down, most of the officials having left the country. Let me know as soon as you receive this so that if I shall

conclude to leave here I may get away before winter. I direct it officially so that it may go through. Do not dispose of the Aurora home-stead. Much love to all.

“JONATHAN.”

As before stated, the author of the foregoing letters, returned East, and spent the balance of his life upon a ranch in Shawnee County, Kansas.

The first term of court was held in Tucson in May, 1864, after which Judge Howell went East on account of the sickness of his wife, and shortly after returning to the Territory, resigned his position; consequently there was no court held in Tucson until his successor, Henry T. Backus, was appointed in 1865.

Associate Justice John P. Allyn ran for Delegate to Congress in 1866, and was defeated, when he resigned his position on the bench, and Harley H. Carter, of Michigan, was appointed his successor.

Chief Justice Turner resigned in 1871, and was succeeded by John Titus.

The first term of court in Prescott was held for the purpose of organizing, in the early part of September, 1864, while the first Legislature was in session. The first regular term was held in the latter part of September, 1865, with Chief Justice Turner on the bench. According to the Fish manuscript the jury came into court armed with their guns and pistols. The Judge, after some hesitation, finally administered the oath to the jury, which, to him, appeared to be an armed mob.

The following day the Judge was giving some instructions to the jury, when they all seized their arms and rushed out. This action was soon ex-

plained. A herd of animals had been attacked by the Indians and a signal had been given which one of the jurymen had seen. On arriving at the spot they found Tom Simmons fighting manfully. He had killed three Indians, and on the approach of the jury and others, the enemy ran away. The jury then returned to the courtroom, and the next day the Judge brought his firearms to court with him. Mr. Fish says that he obtained the foregoing information from W. H. Hardy, who was present at the affair.

The Probate Court of Yavapai County was organized in 1864, and the first record of that Court is as follows:

“Probate Court, Third Judicial District, Arizona Territory.

“Court met Monday, September 5th, 1864, at 10 o'clock a. m.; present, His Honor Hezekiah Brooks, Judge; F. G. Christie, Clerk, and Van C. Smith, Sheriff. The appointment of Hezekiah Brooks as Judge of the Third Judicial District, A. T., was ordered to be read, and the appointment of F. G. Christie as Clerk of said Court was ordered to be entered on the minutes of said Court. There being no further business before the court, it adjourned for the term. Hezekiah Brooks, Judge.”

Charles B. Genung was the first administrator appointed by the Court, being appointed administrator of the estate of J. W. Beauchamp, deceased, in September, 1864.

The foregoing is all that I have been able to obtain concerning the organization of courts in Arizona.

The first session of the Supreme Court of the Territory was held in Prescott in January, 1866.

The records of this court were very carelessly kept in the early days as will be seen from the following extract from the preface to the second volume of the Arizona Supreme Court Reports, by E. W. Lewis, the Supreme Court reporter:

"Since the publication of volume one of the Arizona Reports in 1884 there have been no official reports of the decisions of the Supreme Court of the Territory of Arizona. The difficulties in now preparing complete and accurate reports have not been few. In the earlier years the court held its sessions in various parts of the Territory, at Tucson, Prescott and Phoenix, and doubtless this largely accounts for the regrettable lack of completeness in the files and records of the court. In many of the cases filed prior to 1894, when the court established its permanent seat at the capital, the original papers are missing; in others but a portion are to be found. The records of the court in these early years in such minor details as the names of counsel, from what court the appeal was taken, and the name of the trial judge, are incomplete, and, in some instances, contradictory. No opinions have been recorded in permanent form from 1877 to 1886, and a few opinions which appear in the first volume of these reports, as well as in the later Pacific Reporters, cannot now be found. The older minute records show a number of opinions as filed or to be filed which either never were filed or have since been lost. Quite a number of opinions have been found filed among the original papers and unrecorded which have not been heretofore published. It is needless to say that every effort has been made to find the missing files, and to ascertain the true state of the record, and, though

it is not to be hoped that there are no errors; it is believed that there are none of serious moment. For such as appear the generous indulgence, so characteristic of the court and the profession is asked."

When it is considered that twenty years elapsed between the printing and publishing of the first and second volumes of the Reports of the Supreme Court of the Territory of Arizona, it will be seen that but very little attention was paid to this important part of the government of the Territory.

There were three lawyers in Prescott, John Howard, who, as before noted, was a New Yorker, who had settled in Denver, and joined the Governor's party and came in with that party to Prescott, where he made his home up to within a few years of his death. It is said that while in Denver he was married and that his wife deserted him. A few days after she had left his bed and board, he found that she was living with another man. Howard made out a quitclaim deed of his wife to her new affinity for a nominal consideration, had it duly recorded, and sent it to his wife's paramour. All the old-timers knew John Howard, or "Blinky" Howard, as he was called, as a most lovable character, full of humor and native wit. He never sought public position. The other two lawyers were J. P. Hargrave, concerning whom very little is known, and J. T. Alsap, whose biography is given in a preceding volume, and who was both a good lawyer and a good physician.

In Tucson there were two lawyers, W. Claude Jones, the Speaker of the first House of Representatives, and Coles Bashford. The lawyers at

that time were without libraries. The Acts of Congress or the Laws of the United States, governed all the Territories, but there was not a copy of the Revised Statutes of the United States in all Arizona. Secretary McCormick brought out a library to the Territory, but it consisted mainly of works on history and general subjects. This library he sold to the Territory for a thousand dollars, and these volumes became a part of and were the commencement of the Territorial and State Library.

CHAPTER X.

POPULATION—EARLY SETTLEMENT—INDIAN
TROUBLES.POPULATION 1863-64 — YUMA — CALLVILLE —
HARDYVILLE — INDIAN TROUBLES — KING
WOOLSEY'S FIRST EXPEDITION AGAINST IN-
DIANS—HIS OFFICIAL REPORT.

According to Hinton (see "Handbook of Arizona," p. 44), the population of Arizona at the time when the Territory was organized, was, exclusive of Indians, 581. This is probably an error, or it embraced only the white population exclusive of Mexicans who became citizens under the Treaty of Guadalupe Hidalgo and the Gadsden Purchase.

In the Fish manuscript it is stated that in 1864 about one hundred men were engaged in dry washing for placer gold on the west side of the Colorado near Fort Yuma. On the east side, near Castle Dome, there were about a hundred men engaged in silver mining. Castle Dome City then had four or five houses. On the east side of the river, and perhaps about twenty-five miles above Yuma, there were one hundred miners at Eureka District, and about ninety miles above Yuma was the Weaver District, which was a place of considerable activity. The number of men employed there is not stated. At La Paz it is estimated that there were probably five hundred miners at work.

Yuma, at this time, was the distributing point for the Territory. Here a Quartermaster's De-

pot was erected on the Arizona side of the Colorado by Captain William B. Hooper, Assistant Quartermaster of the Arizona Volunteers. It was not only a distributing depot for the military posts, but was also the shipping point for Tucson and all the camps and settlements in the southern part of the Territory, as well as for the settlements in and around Prescott. In those days all roads led to Yuma. Fish says: "There was a long row of dance-houses on Main Street where the soldiers and freighters spent their money, and Charles Horner's blacksmith and wagon repair shop was worth \$200 a day to the proprietor."

Besides the places mentioned above, Callville was founded about 1863 or 1864, at the head of navigation of the Colorado River, by Mormons, who have been the principal colonizers of the western country. Callville was in that portion of what was then Arizona on the west side of the Colorado, and was established so as to give a shorter and easier road into Salt Lake City and Utah, over which the Mormons could receive their supplies.

According to the Fish manuscript Callville was located by the Mormon church: "On December 17th, 1864, a landing and site for a warehouse afterwards known as Call's Landing, was selected by Anson Call on the Colorado River. Call was from Utah, and this move was in the interest of the Mormon Church, which, at that time, contemplated sending emigrants from Europe by way of Panama, the Gulf of California and up the Colorado to this landing, which

was considered the head of navigation on the river. But very few steamers ever came up to this place and no immigrants ever passed over this route."

Callville was located in Pah-Ute County, which was established by the Second Legislature of the Territory of Arizona, and which embraced all of the Territory west of the Colorado River, that was afterwards taken from Arizona and annexed to Nevada about the year 1867. At Callville and adjacent settlements, the Mormons had done a great deal of work. They had taken out irrigating ditches, built homes, and established a permanent settlement, but after this county was annexed to Nevada, that state levied taxes that had accumulated for several years, while it was still a part of Arizona, which became so onerous that the settlers abandoned their homes, most of them returning to Utah, a few coming into Arizona.

Hardyville was established in 1864, by W. H. Hardy, a native of New York, who came to Arizona from California. He established a trading post and a ferry at this point on the Colorado, and also a small store the following year in Prescott.

According to Hamilton ("Resources of Arizona," p. 383), the first Indian killed in Yavapai County was a thief who was caught in the act by a party of teamsters some distance northwest of where Prescott now stands. Two others were killed in the town of Weaver in 1863. It was the custom of the Indians to bring wood into the camp at Weaver, and, after selling it, they would stay around until it was dark and then slip off,

and, invariably, some animals would be missing. Another killing occurred at Antelope Hill in 1863. Some California miners had lost their burros, and not being able to find them, the Indians were accused of stealing them. The miners attacked the Indians, and killed about twenty of them in revenge for the supposed stealing of four burros. It turned out that the animals had not been stolen, as they were found within a mile of the camp.

After these murders no Indians came into the camps, but would steal every animal left unguarded, and for ten years innocent men, women and children paid the penalty of these rash, unjust and cowardly acts. At first the Indians were poorly armed, but as they succeeded in killing the whites, they got possession of guns and pistols, and, at times, considerable quantities of ammunition fell into their hands.

In December, 1863, three Mexicans went out from Weaver to gather grass as was their custom (Hamilton, "Resources of Arizona," p. 389). They had one gun and a pistol. While at work they were surprised to find themselves surrounded by Apaches, armed with guns, bows and arrows. One of the Indians, accosting the man who had the pistol, said in fair Spanish: "My friend, give me your pistol," which was done. Then he said: "We already have your gun, and are driving your burros away to better feed. Now strip off and give us your clothes." This order was obeyed, and the Indians, dividing the clothes, put them on. There were eleven of them. They danced around and shouted for

a while, when one of the Mexicans said: "Well, if you are going to kill us, do so and make an end of it." The leader of the party answered: "We are not going to hurt you; a dead Mexican is of no use. You may go back to town and get money, and this winter you will go to Sonora and bring us some more burros, or, perhaps, some mules, in the spring. We consider you our friends. Good-by." The Mexicans got back to town in the costume of the Greek slave.

A man called "Hog" Johnson, was out about three miles from Weaver, hunting deer. Seeing some deer, he tied his horse, crept up some distance, and shot one of them. He cut off its head, took out its entrails, and prepared to load it on his horse. He started back for his horse, and when about halfway, he heard a yell and saw four Indians on the hillside, out of rifle range, going off with his horse. Just then he heard something behind him. Turning around, he saw four Indians, each with a quarter of the deer on his shoulder. He sat down on a rock and watched them load the deer on his horse and start off. Three years later, while mining alone near Antelope Hill, Johnson was killed by Mohave-Apaches.

In the winter of 1863-64, J. T. Alsap, S. C. Miller and Con Moore started from Granite Creek to the placers on Lynx Creek. They stopped upon the mesa to cut grass for their horses, using their butcher knives. While thus employed they were attacked by a band of Apaches, who stampeded their horses and opened fire upon them. The party ran to the

nearest timber a few rods distant where they kept the foe at bay for an hour or two, when they ran for an old cabin near by. Miller had received a bullet wound just above the knee, but made no mention of it as it might discourage the others. On reaching the cabin, a kind of half dugout, they defended themselves until some miners, hearing the firing, came to their relief. Three or four Indians were killed.

According to Hamilton ("Resources of Arizona," p. 383), the first settler killed in Northern Arizona was by a large band of Tonto Apaches, who came in from the southwest, and in the big canyon of the Hassayampa, killed three miners. Continuing their course toward Weaver, they attacked a party of a dozen Mexicans who were moving from the town to Walnut Grove to engage in farming. They killed five of them. This was on the 11th of March, 1864. In the same month Mr. Goodhue and four others were attacked by Indians between the Hassayampa and Granite Creek. Goodhue was killed, and the others succeeded in driving the Indians off. The Indians also attacked a train of wagons near Weaver, and mortally wounded Mr. Rykman and a Mexican. The Indians took all the stock and plundered the wagons.

In April, 1864, a Mexican was herding a dozen head of cattle in Walnut Grove. One afternoon he shot a rabbit and on going to pick it up, before reloading his gun, found himself surrounded by Indians, who stood within ten feet of him. Some of them took the gun and rabbit while others drove off the stock.

(Hamilton, "Resources of Arizona," p. 390.) They then marched him across the valley in the same direction as the cattle were going, for a mile, pricking him with arrows. On reaching the hills they stopped, gave him the rabbit, and motioned him to go home, laughing, hooting and pointing their fingers at him in the meanwhile.

In 1863 and 1864, practically all the troops were withdrawn from Arizona. The southern part of the Territory and its valleys and farms, as we have seen, was depopulated, the Americans gathering in and around Tucson for protection, where there was a small guard of soldiers, consequently everything was comparatively quiet on the southern border. While engaged in the erection of buildings in Prescott, the workmen carried arms for protection, and it was dangerous at any time to venture alone beyond the town limits.

Early in January, 1864, twenty-eight head of stock was stolen from the corral of Messrs. Peeples and Dye on the Antelope ranch, twelve miles north of Weaver. From Granite Creek sixteen head were taken. King S. Woolsey lost thirty-three head from the Agua Fria ranch. The miners in the vicinity lost many animals, and were almost destitute of transportation. In consequence of the killing which occurred at Walnut Grove, and other murders, and the above stealing, it was determined to send a party into the Indians' country which resulted in the organization of a party by King S. Woolsey, who followed the Indians to the Bloody Tanks

where many of their chiefs were killed, in what was afterwards known as the "Pinole Treaty," an account of which has been given in a preceding volume, and the Indians' account of the same will be found on another page of this volume. After this fight Woolsey was appointed Aide on the staff of Governor Goodwin, with the rank of Lieutenant-Colonel and was given authority to organize an expedition to go into the Indian country, killing the hostiles wherever found. Woolsey's official report to the Governor of his first expedition was printed in the "Arizona Miner" in September, 1864, and is as follows:

"Prescott, Arizona, August 28, 1864.
"To His Excellency, John N. Goodwin, Governor of Arizona Territory.

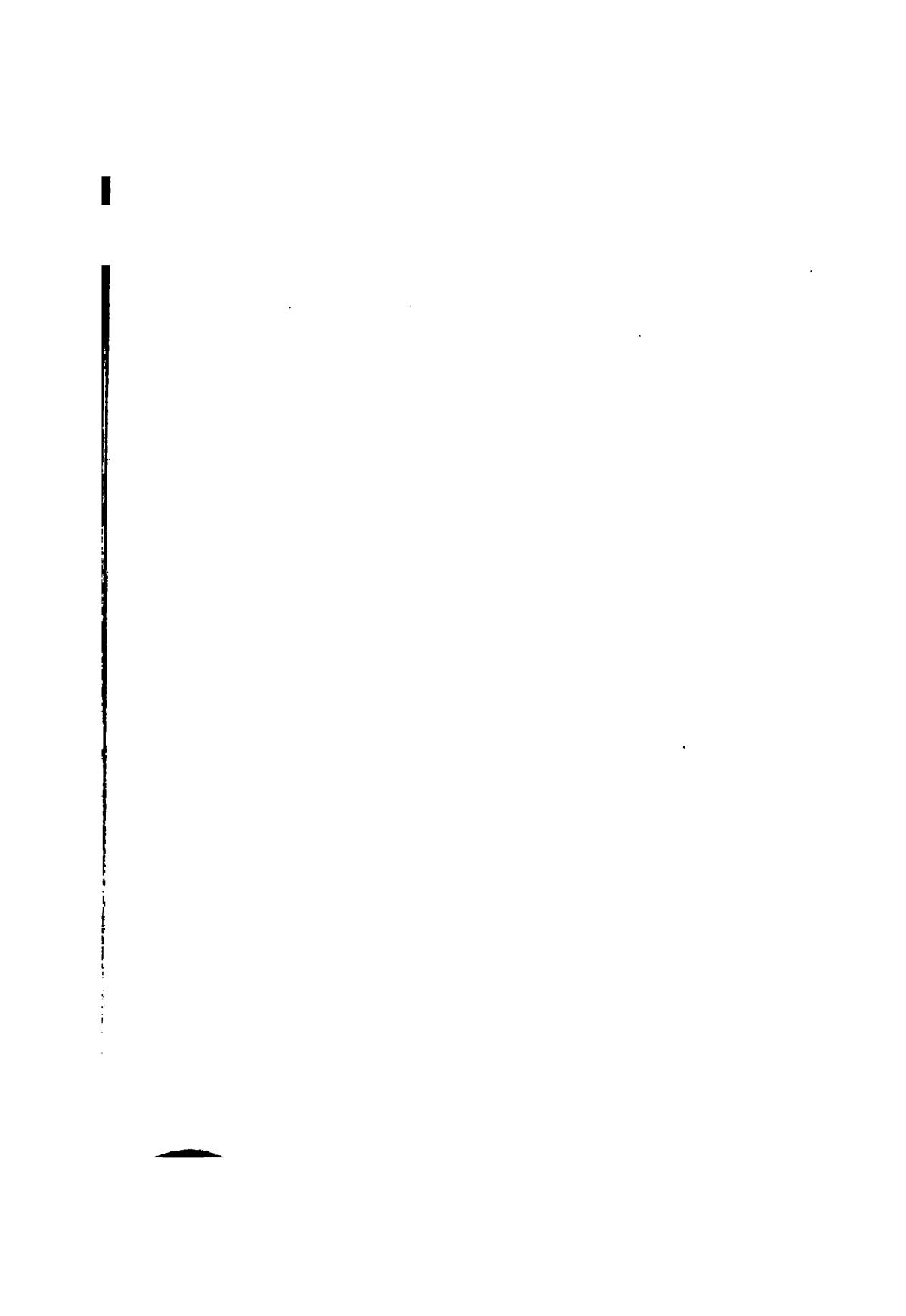
"Sir:

"I have the honor to report that my Command consisting of 93 men (citizens) left the Agua Fria ranch about 6 p. m., June 1, and arrived at Fisher's Cienega at one o'clock the following morning, distance 15 miles, course N. 69 deg. East. A small party of Indians were encamped in this cienega but escaped in the dark. There are fine springs at this cienega, which is upon the Chavez wagon road, and will be a prominent point should that road prove a success.

"On the morning of the 2nd, we marched in the same general direction by way of Copper Canyon to the Rio Verde, distance ten miles. The trail down is rough, but readily made by



KING S. WOOLSEY.



pack animals. Crossing the river a mile below the canyon, we continued our march East to a branch of the Rio Verde, striking it about six miles from the mouth. This branch is called Clear Creek, and is about thirty miles in length. It runs from the northeast and three miles above where we camped, it canyons and for fifteen miles passes through one of the roughest and most impassable canyons in the territory. At Clear Fork I divided the command, sending the pack trains with thirty-three men southward to seek a passage through the mountains, while with the remaining sixty men I continued in an easterly course, toward the great Tonto Basin, where the pack train was directed to meet us. That train was under the command of M. Lewis, an experienced mountaineer and one of the original Walker party of explorers. Our way was over very rough country, through which a pack train could hardly have gone. After a fatiguing trip of two days, we arrived at the top of the mountain or table-land overlooking a great basin and standing at its upper or eastern end. This basin is occupied by Tonto and Pinal Apaches, and I confidently expected a fight with them.

"The next morning we descended into the basin, not without much difficulty and we began a search for the redskins, but were unable to find any, though traces of their recent presence were numerous. For three days we continued the search, beating up the small streams and ravines about the basin, but in vain. In the afternoon of the fifth day, after leaving Clear

Fork, we were joined by the pack train, upon a stream that we called the East Fork of the Verde. The train had followed the course of the river about eight miles nearly south over the foothills and had then struck across the Mesa southeasterly about eight miles to Fossil Creek, thence south thirty degrees east, about eighteen miles through Fossil Canyon and over the mountains, thence East about six miles to the East Fork of the Verde where they joined us. Their route is reported as practical for wagons. This portion of the country is a lava bed, covered with timber and excellent grass upon the mountains. On the morning of the eighth of June, we took our march in a southerly direction over the hills and at noon reached a stream, which I called Tonto Creek, running south thirty degrees east and being about thirty miles in length. The rock hereabouts changes to a bluish granite. Our stopping place was at a very pretty Cienega with an excellent spring of water. In the afternoon we moved to Tonto Creek, about nine miles and camped at some tanks. There is no water in the creek so high up. We continued down Tonto Creek to a point about five miles from its mouth where we turned East and struck across a mesa to Salt River, at a point four miles above the junction of the creek. On Tonto Creek we prospected in several places for gold, and found color, but not in paying quantities. All along it are the ruins of ancient fortifications and houses indicating a former large population. The walls of the

buildings are of stone laid in cement which is yet quite firm.

"Finding our stock of provisions was getting low, I started a pack train to the Pimo Villages. It consisted of thirty-six animals with an escort of twenty-three men, under the command of Henry Jaycox. The water of Salt River is very brackish and there being but little grass at our camp, I went out with a small mounted party to hunt a better. I first went down the run to the mouth of the creek, where we found a large Indian village of some fifty huts. It had been abandoned but a few hours before. This was beyond doubt the headquarters of Wa-poo-i-ta, or Big Rump, the Tonto Chief. The next day the Indians fired the village, utterly destroying it. Not finding a camp in this direction, on the following day I went up the river about four miles and discovered an excellent point. A large spring of pure water, grass in abundance and of excellent quality, and wood at a convenient distance. The next day we moved to the inviting point and named it Grapevine Springs. About this Spring are about 600 acres of good tillable land and the water is sufficient for very large herds of stock.

"As the pack train would not return from Pimo for several days, and I was confident there was a large number of Indians in the vicinity, I determined to hunt them and on the following day, after dark, I started at the head of thirty-six men with six days rations for a scout on the north side of the river. By two o'clock the next morning we reached a high mountain, since

called 'Signal' mountain, but were unable to reach the top in the darkness, it being very precipitous, and we lay down until daylight. We found a trail to the top and passed over the southern end of the mountain. We followed it to a rancheria, (upon which we came unexpectedly to ourselves) and so suddenly that the Indians fled leaving behind their bows and arrows and their fire burning. After hunting around for two or three hours without finding the Indians, we proceeded northward and at noon arrived at a stream flowing easterly, which we named Sycamore Creek. This creek we followed about 12 miles to its mouth, finding Indian corn and wheat fields all the way. At the mouth of the Creek, the Salt River flows southward for some miles and then turns to the west. Three or four Indians appeared upon the hills and hallooed to us on our arrival at Salt River, and after a time I succeeded in having a talk with one who represented himself to be a 'captain.' He refused, however, to approach nearer than 200 or 300 yards. We crossed the Salt River here and followed the left bank down about six miles when the stream canyoned and we were obliged to climb the mountains. It was dark when we reached the top and we followed an Indian trail over the rough ground in a southerly direction. After several miles we turned westwardly and at 11 o'clock p. m. we came upon a fine stream of water. Here we camped for the night, hearing Indians all around but seeing none. The morning light revealed a beautiful valley covered with corn

and wheat fields. The creek was named Pinal Creek. It runs northerly and empties into Salt River near the great bend above mentioned. Soon after daylight, the Indian fires commenced blazing on the hilltops and the Indians began hallooing at us. One appeared to be the leader. He approached near enough to talk to us and I invited him and his people to visit us at our camp on Salt River, which he promised he and they would do the next day.

“We followed Pinal Creek down to its mouth and then proceeded down Salt River to camp, which we reached about sundown. We waited all the next day for our expected visitors, but they did not come, though their fires blazed continuously on the hills north of the river. On the following day I determined to move camp to Pinal Creek and after detaching fifteen men to meet the pack train, we started, reaching our old camp at sundown. The road from Grapevine Springs is for about ten miles, southeast to some springs and tanks, and then turning east for about five miles where it reaches Pinal Creek at our camping grounds, which is about three miles from a road around a mountain peak which we called Cupola Peak (from camp N. 65 deg. east).

“The morning after our arrival a few squaws came into camp and inquired our intentions and were told we were hungry and wanted wheat. The whole command was at the same time engaged in cutting and threshing wheat, and our horses and mules were feeding. The next day a few Indians came in with a flag of truce (a

white rag tied to a cross) bringing an interpreter with them. We had a long talk and numbers of them continued to visit us until the arrival of our pack train. Until then I had thought it best to be friendly with them, although it was evident that on one occasion they came with the intention of taking our scalps, but found that we were too well prepared for them. From the arrival of the pack train on the eighth day but few Indians visited us. After allowing the pack animals one day's rest, we again began our march, starting at 6 a. m. on the morning of July 4, following the creek to its head in the Pinal Mountains, the highest peak of which was situated south 29 deg. east, about thirty miles distant from camp at the wheat fields. We found gold at the head of the creek, but not in paying quantities, and some good looking quartz lodes. The water raises in this creek about two miles above our camp, and from that to the mountain, we found water only in springs and tanks. We camped on the top of Pinal mountain and from its highest peak the following observations were taken :

"Tonto peak, N. 60 deg. 30 deg. W.; Needles, N. 86 deg. W.; Casa Blanca, near Pimo, S. 70 deg. West and Picacho, S. 7 deg. West. We remained at this camp throughout the day of our arrival, our hunters keeping us well supplied with venison and turkey. Eighteen men left the party and returned by way of Pimo. I sent out a party to prospect for mineral on the south side of this mountain, but they returned without finding any. We moved camp to the foot of

the mountain on the east side, at some tanks, and the next day reached the San Carlos River, a distance of 25 miles. There is no water upon this trail for this distance, it being all the way down a dry arroyo, N. 60 deg. East. We found an Indian corn field and bean patch upon the San Carlos. The corn was not yet fit to eat, but the beans were just ripe for snaps and we made much of them. The next day we moved down the San Carlos to the Gila River, distant about ten miles, and thence by easy marches up the Gila to the new Ft. Goodwin, distant about thirty miles. We camped on the Gila about three miles from the Fort, which is situated on a stream called the 'Pulerosa' and immediately reported to Col. Rigg, First Infantry, California Volunteers, commanding. He issued rations to my command and it was agreed between us that I should proceed up the country to the Black River and prospect the district, also looking for the Indians and that I should return across by the heads of the Bonito and San Carlos to our old camp on Pinal Creek and there join Maj. Thomas J. Blakeney's command and with it operate against the Apaches in the vicinity of that creek and Signal mountain, on the north side of Salt River. I left Ft. Goodwin on the morning of the 15th day of July and proceeded up the Gila River, about thirty-five miles to a point near the Pueblo Viejo. Leaving the river here I struck across the mountain divide to a stream called 'Bonito,' striking it as I supposed about ten miles from its mouth. The Bonito is a small stream forty to fifty miles in length,

heading in a range of lava hills running through a lava formation for its whole length in a south-easterly direction, emptying into the Gila about 45 miles above Ft. Goodwin. I think we struck the Black River 14 miles above its mouth. About thirty miles above, the Canyon opens into a fine valley of several miles in length, containing at least 10,000 acres of fine tillable land, surrounded by low rolling hills covered with excellent grass. There were about 20 acres of Indian corn in the valley, but we saw no Indians. The day before we reached this valley, a Yaqui squaw, about ten years of age, came into our camp. She had been a captive among the Apaches and had just made her escape. She came in with us and is now at my Agua Fria ranch. From the head of this valley I made an effort to pass the mountain to the eastward, but did not succeed in finding a point where I could pass with the pack train, and was obliged to return to the river and continue up it twenty miles further to where the stream forks, one fork coming from the eastward and the other from the northwest. Upon examination here, it was found that the water raised in both streams as far as about one mile from camp. I reached this point on the 23rd day of July, and as I had promised Col. Rigg that I would join Major Blakeney at Pinal Creek on the 30th, it was necessary to turn in that direction to keep the appointment. A portion of the command was not satisfied that this stream was the Black River, and were desirous of going further east to look for it. I, therefore, detached Mr. P. McCannon

with 46 men in that direction while with the remaining 24 men I started on my return to Pinal Creek. Mr. McCannon rejoined me at Ft. Goodwin 19 days from his departure, and made a report to me, a copy of which accompanies this paper. On the 24th day of July, with 24 men, I left our camp at the forks of the Black River and followed the western branch up to its head, distant about eight miles. I then turned in a southwesterly direction. We were obliged to camp the first night without water, but about nine o'clock the next morning we found water in tanks at the foot of a high, round mountain, the end of a range lying to the northwest and covered with pine timber. Soon after stopping Mr. J. W. Beauchamp left camp to go to the top of this mountain and take a view of the surrounding country and the bearings of different points towards which we expected to travel. Upon arriving near the top of the mountain he was waylaid by six Indians, shot through the chest with a rifle, lanced, stripped and left for dead. He lived for some fifteen or twenty minutes, however, after we reached him, but died before we could get him to camp. We buried him at the foot of the mountain, which we named Beauchamp Peak in memory of the unfortunate victim of Indian cruelty and cowardice. A deep and precipitous canyon heads upon the northeast side of this mountain or peak, and running around its northern side, falls off to the southwest for several miles, then turning northwest, passes around a range of high mountains and running thence southward is, in fact, the main

branch of the San Carlos River. We travelled along it some thirty miles over a level country shaded with cedar trees, covered with grass, forming a most excellent stock range. Among these cedars we found an abundance of 'bear sign,' and one evening just before camping, we had some excellent sport in killing a bear, our second, as we had killed one on the Gila about fifteen miles above Ft. Goodwin. Both of them were of the species known as the cinnamon bear. About twenty miles from Beauchamp Peak, in a southwesterly direction, we reached the foot of the mountains last spoken of and the road over them for about eight miles was very rough and rocky, the descent upon the western side being particularly difficult. Upon reaching the foot of the mountain on the western side we found a small stream of good water and a rancheria of Indians who fled at our approach, some of them on horseback. We stopped here for some three hours for noon and upon leaving the Indians hallooed at us from the hills as long as we were within hearing, taking good care, however, to keep out of our range. We now travelled over a level mesa for about twenty miles in a southwesterly direction, until we reached the eastern branch of the San Carlos. We found no water in this branch, but the next was the one before spoken of as heading at Beauchamp Peak, and in it was found running water in abundance. Still continuing our southwest course, we crossed a level mesa for about twelve miles, varied only by crossing the deep canyon of the San Carlos. We succeeded in crossing

five of these, but the sixth compelled us to follow it up to the dividing ridge between the waters of Salt River and San Carlos before we could pass it. We saw some Indians on this dividing ridge who hallooed at us from a cliff. On arriving at within about ten miles of Pinal Creek, we were visited in camp by about nine Indians, who came in without hesitation and told us of the soldiers being at our old camp at Pinal Creek. The Indians promised they would come over to the old camp and have a talk as they said the soldiers were eating up all their corn. We did not reach the old camp that night, and the next morning we heard the discharge of musketry as though a battle were in progress, and saw the cavalry charging over the hill. I immediately ordered the train to close up and move cautiously down to the water while I galloped over the point to see what was going on. I found that the soldiers were chasing three or four Indians that had appeared in sight. Of course the Indians I expected did not come in, neither did any Indians afterward visit the camp, and no more were seen except a few that Maj. Blakeney had seized as hostages for a boy that had delivered himself up to him and had afterward been kidnaped by the Indians. Two of these were afterward hanged by order of Maj. Blakeney, the boy not being returned. Maj. Blakeney and myself immediately commenced preparing to make the raid upon the Indians at Signal Mountain, as had been agreed upon at Ft. Goodwin, and would have been ready to start in one day, when an order came from Maj. Smith to

break up camp and return to Ft. Goodwin. I had gone to Camp Rigg to hurry up supplies when the order reached Maj. Blakeney, and when he marched back to Camp Rigg, I found my men with him. I immediately started for Ft. Goodwin to endeavor to get Col. Rigg to still send an expedition to Signal Mountain. The Colonel made an order for two companies to proceed to that place and operate against the Indians in conjunction with my command, and two days after left for Las Cruces, turning over the command of the Apache expedition to Maj. Joseph Smith, who found it impossible to fit out the expedition, owing to the excessive rains and consequent failure of some provision trains to arrive at the Fort. The streams were also swollen so that he feared it would be impossible to cross. The expedition was, therefore, abandoned, to my great mortification and chagrin. I remained six days at the Fort and during that time Mr. McCannon returned from his expedition to the eastward in the search of another Black River. A portion of my men concluded to return to Ft. Goodwin and obtain employment: two enlisted, and two remained in the hospital and with the balance, numbering when I reached Camp Rigg 54 men. I started for home. The River Gila was swollen by the rains and difficult to cross, and we did not reach Camp Rigg until the third day after leaving Ft. Goodwin, a distance of 40 miles. Leaving Camp Rigg the next day, we reached the old camp at Pinal Creek in a day and a half, and then followed our trail back by Grapevine Springs to Salt

River and up Tonto Creek to near its head. Crossing the dividing ridge a distance of about ten miles, we struck the east fork of the San Francisco about ten miles below our former camp on that stream, then followed down the Rio Verde or San Francisco. While passing down the east fork we shot at an Indian, but did not succeed in stopping him. About two hours after as we were passing along a rough and difficult trail on the side of a hill, and overlooked by a high cliff of rocks, some Indians attempted to annoy us by rolling rocks down the hill, and also shot a few arrows at us. None reached us, however, nor did any of the rocks reach the pack train as they intended. A few shots from some of our long range guns soon scattered the rascals and we passed without injury. We camped on the San Francisco and the next morning commenced the ascent of the mountain on this side of that river, following an old Indian trail, which proved a good one although pretty steep, in some places. On reaching the top, we struck across the smooth mesa to the Agua Fria ranch, which we reached on the third day from the San Francisco river, the 13th from Ft. Goodwin, and the 87th day from the day of starting upon the expedition.

"The whole country through which we have passed is covered with excellent grass. Water is plentiful for all ordinary purposes. In many places beautiful little valleys invite the farmer and ranchero to follow the occupation of their choice. We never found gold in paying quantities, and yet I cannot help thinking that there

is in that part of the territory great mineral wealth.

"From the preceding pages, Your Excellency will easily discover why we killed no Indians upon this expedition. With the exception of those at Pinal Creek, we were never able to get within shooting distance of them, and for those at Pinal I deemed the reason given for not fighting them as sufficient at the time, and still consider it so. Notwithstanding the failure to find and kill Indians, I still think the expedition has been of great benefit. We have followed the trail of the Apache to his home in the mountains, and have learned where it is located; we have dispelled the idea of vast numbers that has ever attached to that tribe. A few hundred of poor miserable wretches compose the formidable foe so much dreaded by many. They will be brought to terms easily or exterminated, I cannot doubt, when once the Government shall know how small is the enemy by which so much annoyance has been caused.

"All of which is respectfully submitted.

"K. S. WOOLSEY,

"Lieutenant-Colonel Commanding Volunteers
from Walker and Weaver Mines."

CHAPTER XI. INDIAN TROUBLES.

KING WOOLSEY'S SECOND EXPEDITION—REPORT OF BY AUGUSTUS BRICHTA—RESOLUTION BY FIRST LEGISLATURE COMMENDING KING WOOLSEY AND COMPANIONS—KING WOOLSEY'S OPINION OF THE MILITARY—ACCOUNT OF FIGHT BY WILLIAM FOURR—OFFICIAL REPORTS OF FIGHTS WITH INDIANS—REMARKS OF BEN C. CUTLER, ASSISTANT ADJUTANT-GENERAL.

The official report of King Woolsey's next expedition was also printed in the "Arizona Miner" in 1864, but the only account I have been able to obtain of this expedition is one written by Augustus Brichta, an early settler. The manuscript I have bears no date and is as follows:

"We will now retrace our steps back to the Indian question, which perplexed us at that time 24 years ago, and which does anew somewhat to-day. The result of the meeting (a meeting attended by Governor Goodwin, Secretary McCormick, and others, to consider the Indian question) was that 100 men equipped to the best of their ability were to meet at King S. Woolsey's Agua Fria ranch at a certain day. We met there, and then we saw R. C. McCormick ready to assist us, which he always was, with flour, bacon, beans and the most essential ammunition. We then organized with King S. Woolsey, commander-in-chief of the party, and we divided into four squads of 25 men each, and each squad elected their own captain. The

writer having been in the Comanche and Lipan wars of Texas, was elected as captain of one squad. Dr. J. T. Alsap (deceased) was chosen as surgeon.

"The whole command started together at night with their scouts and spies on each side and ahead. The party marched on foot, using the horses to pack supplies. In a few days afterwards, on arriving at a certain point we camped, and a guard was placed around the horses. At about daylight one of the most laughable circumstances occurred. Some of us were up and making coffee when in came one of the guards, bare-headed, hair standing on end, halloing: 'Indians, I'm shot.' The poor fellow did look piteously, and although a serious affair, we could not help laughing—he had an arrow shot through his neck—the point sticking out on one side and the feather on the other. His hair was standing on end and he did look very comical. Dr. Alsap soon relieved him by cutting off the feather and pulling the arrow through from the opposite side it went in on. With a little healing salve, in a few days he was ready for his regular ration.

"We got breakfast, packed up, detailed a rear guard and started. The Colonel detailed ten of our best shots to lay in ambush close to the camp we left, as the Indians were in the habit of coming to our abandoned camps to pick up what was thrown away. The main party marched on, and ascending a mesa land we halted to see the effect that our ten men would have. Shortly we saw some six or eight Indians creep into camp and our men fired on them. I do not think there was but one which escaped.

The party of ten overtook us, and we marched together.

"One day at noon a halt was called and we rested a short time and started again. In a short time one of the men discovered that he had left his gun standing against a tree where we nooned. The Colonel detailed ten men to go back with him and get it—they overtook us soon, and that fellow for a long time wished he had never had a gun.

"We finally arrived at some beautiful little valley and camped. One afternoon the scouts came into camp and reported a large camp, as we afterwards found out, some sixty wickiups which contained some old bucks, a lot of squaws, and papooses—in all about fifty—who were making arrows and points for arrows of flint. The order was given that three of the squads were to take two days' rations, the other squad to stay with the horses. The scouts told where to find the rancheria, which was situated in a large flat at the head of a deep canyon, and surrounded by small hills with passes between them. One squad each was ordered to two of the passes and my squad had to take up the canyon.

"Ed Peck was with me—one of the best shots I ever saw. We travelled all night and before daylight arrived close to the rancheria. We crawled up in sight of the place and as soon as it was light enough to draw a bead through our sights (Peck and I each had a good Hawkins), there stepped out in full sight a large buck Indian. Peck asked me if he should shoot. I said, 'Do you think you can fetch him?' He said, 'Yes,' and I replied, 'All right, let's open.' He fired and that Indian jumped about three

feet and fell, which made one good Indian. We then charged down the hill and fired at the Indians. They ran toward the passes—they were received by a volley from the squad stationed there—to the other pass, the third squad met them. We had now all joined together, and it did not take long to settle the matter. I do not think there escaped more than two out of the lot. The young bucks must have been out on a raid. In the rancheria we found piles of arrow points, made of flint, partly finished, and some cow hides with Woolsey's brand on them, also one of my horse hides. We burnt up the whole affair, and by noon we ate our lunches and retraced our steps back to camp. Woolsey was with one squad in the fight. This was his first fight after the celebrated Pinole treaty, for which he was condemned by some psalm singing fanatics East.

"We then marched to the top of a mesa on the Pinal Mts., where we could look down into Tonto Basin, and camped, threw up breastworks and scouted around some time. We were expecting a pack train with provisions, which had been promised to be sent to us, but as it did not arrive we struck camp and went to High Mountain, where we could see the Agua Fria River. There it was arranged that the pack train should go by a route on ground they could travel, and our three squads each took a separate route for the Agua Fria. We each took our last meal, being all we had left and very scant, and all had gunpowder and started. The second day at night we got to the river—two days without water or food and found the pack train from Walker Creek with some provisions.

It would have done you good to have seen us—some baking bread, others making bean soup and coffee, and cooking bacon. After one day's rest we started for home on the Creek. We were gone on the round trip forty days. We found things all right on the Creek, and those who stayed during our absence were glad to see us back."

The First Legislature of the Territory passed the following resolution commending the services of King Woolsey and his companions in these expeditions:

"Whereas, Since the settlement of this country, the people have suffered in the loss of the lives of some of our most respected citizens; also in loss of stock and other property, and from constant apprehensions of attacks, owing to the frequent raids made by the hostile Indians; and

"Whereas, Lieutenant-Colonel King S. Woolsey has, with great perseverance and personal sacrifice, raised and led against the Apaches, during the present year, three several expeditions, composed of citizen volunteers, who, like their commander, have spent their time and means, and up to this time have been entirely unrecompensed therefor; and

"Whereas, These expeditions have been highly beneficial to the people, not only by taking the lives of numbers of Apaches, and destroying the property and crops in their country, but also by adding largely to the geographical, geological and mineralogical knowledge of the country; therefore,

"Resolved by the Council, the House of Representatives concurring, That the thanks of the Legislative Assembly of the Territory of

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illustrated by the following account of a
which he had with the Indians while with
fave, in command of a troop of

as related by William Furr, one of his

adventures at that time:

He was in the Harquahala and other fights
King Woolsey. The renegades would
down from the mountains and steal stock
and attack the settlers. In 1868 some rene
gades came down from the mountains, and stole
two hundred head of my cattle. They
had raided King Woolsey's ranch before this
and had stolen some two or three thousand
dollars' worth of stock. These Indians were
Mohave-Apaches. I believe the Government
put it that way, but the Indians who took my
stock were from the Black Creek reservation.
Mr. Rockingham, who was a stage man, had his
team stolen from him, and he afterwards saw
one of them in a government team, and the
soldiers told him that they had got it from the

Indians. These Indians would draw rations, and then come down seventy-five or eighty miles and steal our cattle. One time these Indians came down and killed a Mexican herder who was working for my brother-in-law, and tried to run the cattle off, but the cattle turned and ran to the house, and two or three men who were there went out and discovered the Mexican lying dead with arrows in him.

"I was located at Gila Bend, and Sanguinetti, from Yuma, came along with his train, and the Indians took all his mules.

"After they had taken my cattle, we sent word to the soldiers at Burke's Station, Oatman Flat, and got the soldiers to come down, myself and King Woolsey and old man Shepard, who was in the Mexican war. Col. McClave came down in command of twenty-five soldiers. The first night some of the soldiers, raw recruits, saw the smoke of the fires of the Indians on the Harquahala, and some of them took their horses and left. That night the Indians attacked us, and whipped us. The next night we made a rush to get to the Indians, but never reached their fires until after daylight, when they had all left their camps, so we went in search of them. Woolsey and I were ahead of the cavalry, which was kind of giving out, having ridden all night, and we began firing at the bunch, and by the time Col. McClave and his soldiers got up to us, the fight was about over. McClave called Woolsey and me down for being ahead of the soldiers, and also said that we had done pretty darn well. It was the 5th of July and hot, and we were pretty dry and tired. We had used up practically all the water we had with us. We laid down and went to sleep. There was a small bluff or hill there

and I was on top of it, but Woolsey had jumped down and was lying down on the flat. We heard a shot which waked us both and Woolsey said to me, 'You lie still.' I jumped down alongside of him, however, and the first thing we knew the Indians were upon us. Woolsey told me to go behind a rock, and called to McClave to see that the Indians did not get our pack animals. There was a soldier standing behind a rock, and an Indian shot at him. The bullet struck the rock and split, and a piece of it hit the soldier in the back of the head, killing him. The Indians tried to get his gun, but McClave ordered his men to protect him and walked over and got the gun. The soldiers returned to the camp and we packed up that night and moved out of that canyon.

"That night we were attacked again by the Indians, who shot into the camp, but the bullets went too high. Woolsey and McClave got together, and McClave said to Woolsey: 'What are we going to do?' Woolsey said: 'It don't make a d—— bit of difference to me what you and your men do, but this man Fourr here has lost two hundred head of cattle, and we are going to whip these Indians. I don't want you or any of your soldiers. You can take your d—— soldiers and run them to h——. Give us five or six men to protect the pack animals, and we will go after the Indians.' Woolsey and myself went up the canyon two or three miles. The canyon was pretty clear of boulders, and we could see the Indians and they could see us. They hallooed to us to come on, and we made a charge on them, and of course they ran into the rocks. There were eight of us shooting at them. One Indian was on a rock, and I was firing at

him at a thousand yard range. Woolsey told me to put my sight down to five hundred yards, and then he plugged the Indian and the rest of them ran. The fight didn't last very long after that. We left twenty-seven good Indians there, and there might have been more than that. McClave and his soldiers had caught up and taken part in the latter part of the fight, and McClave asked Woolsey how far it was to water. Woolsey told him that it was about twelve miles down the canyon. McClave said that if he had known that it was so far away, he would not have made that fight for it, and Woolsey replied that he thought the soldiers wanted water pretty bad or they wouldn't have come up and joined in the fight. One of the soldiers was wounded and they put him on a horse, and he died the next day.

"After we returned to Cullin's Wells, we went back to this canyon again, but could not find any Indians. I think this happened in 1867 or 1868."

The following accounts of Indian fights during the year 1864, are taken from the Senate Report on the Condition of the Indian Tribes, published in 1867, page 260, et seq.:

"March 18.—Major Edward B. Willis, 1st Infantry California volunteers, with forty enlisted men and fourteen citizens, fell in with a party of Apaches near the San Francisco river, Arizona, killed five Indians and lost one man, Private Fisher, of company D, first cavalry, California volunteers."

"April 7.—Captain James H. Whitlock, 5th infantry California volunteers, with a command consisting of twenty-six enlisted men of company F and twenty enlisted men of Company I,

under Lieutenant Burkett, and ten enlisted men of Company C, first cavalry California volunteers, attacked about two hundred and fifty Indians near Mount Grey, or Sierra Bonita, Arizona, and after a spirited fight of over one hour routed the Indians, killing twenty-one of them left on the ground and wounding a large number. Forty-five head of horses and mules were captured from the Indians, and all their provisions and camp equipage destroyed."

"May 3.—Lieutenant Henry H. Stevens, 5th infantry California volunteers, with a command of fifty-four men, California volunteers, while on the march from Fort Cummings to Fort Bowie, Arizona, was attacked in Doubtful Canyon, near Steen's Peak, by about one hundred Apache Indians. The fight lasted for nearly two hours, and resulted in the killing of ten Apaches, who were left on the ground, and wounding about twenty. The troops lost in this affair one man missing and five wounded—one mortally; one horse killed and one wounded."

"May 25.—Lieutenant Colonel Nelson H. Davis, assistant inspector-general United States army, with Captain T. T. Tidball, fifth infantry California volunteers, two commissioned officers and one hundred and two enlisted men, cavalry and infantry, started from Fort Bowie on a scout after Indians. On the 25th instant surprised a rancheria, and killed one Indian; later the same day, killed one Indian and captured one."

"May 26.—On the 26th instant came upon a rancheria, killed one Indian and destroyed several acres of corn. In this skirmish First Sergeant Christian Foster, of company K, fifth

infantry California volunteers, was severely wounded. On the same day, one woman and two children were captured. On the 28th, captured five women and two children."

"May 29.—On the 29th instant the command surprised a rancheria, and killed thirty-six, wounded four, and took two prisoners; captured six hundred and sixty-six dollars in gold coin, one Sharp's carbine, one Colt's revolver, one shotgun, one saddle, one thousand pounds of mescal, and a lot of horse equipments, powder, powder-horns, &c. Sergeant Charles Brown, of company K, fifth infantry California volunteers, is mentioned in Captain Tidball's report for his zeal and energy in this scout."

"June 3.—The Apache Indians attacked a party of five miners near Fort Whipple, Arizona, and wounded every man of the party."

"June 7.—Captain Julius C. Shaw, 1st cavalry New Mexico volunteers, with his command, attacked a rancheria near Apache spring. Two Indians were mortally wounded."

"June 11.—Four Apaches attacked a party of soldiers under Captain T. T. Tidball, near San Pedro crossing, but did not succeed in doing any damage. The troops wounded one of the Indians."

"June 20.—Major Edward B. Willis, 1st infantry California volunteers, reports that a detachment under his command attacked a party of Apache Indians near the Salinas river, Arizona, and killed four of them."

"June 20.—The express escort between Camp Goodwin and Fort Bowie was attacked by a party of Indians, while crossing the Chiricahui mountains. The Indians were whipped off by

the escort. Several Indians reported wounded. Four burros were taken from the Indians."

"June —.—Captain Henry M. Benson, 1st infantry California volunteers, left Fort Whipple, Arizona Territory, with his company F, first California infantry, on a scout after Indians. Five Indians were killed and two wounded by this command, and large quantities of corn and beans destroyed."

"June —.—Captain Albert H. Pfeiffer, 1st cavalry New Mexico volunteers, with one lieutenant and sixty-four enlisted men, attacked a band of Indians near the Colorado Chiquito, Arizona, and in a running fight of eight miles killed five and wounded seven of them. After the fight was over two Indians came into camp with signs of peace, but in a moment fired their guns, severely wounding Captain Pfeiffer and Private Pedro Rael. The Indians were instantly killed. When the shots were fired a large party of Indians came running towards the camp. A volley was fired into them, when they scattered in all directions. This volley wounded several."

"August 1.—Captain T. T. Tidball, 5th infantry California volunteers, returned from a scout of twenty-three days. He reports that he saw but few Indians, and killed but one—an Apache chief called 'Old Plume.' "

"August 7.—Sergeant B. F. Ferguson, of company E, 5th infantry California volunteers, with a party of men, attacked fifteen Apaches who were seen approaching the camp on the Rio Carlos, and killed five of them."

"August —.—Captain John S. Thayer, 5th infantry California volunteers, left Fort Good-

win, Arizona Territory, with his company, on a scout after Indians. On the fourth day out the company destroyed about seventy acres of corn, also several small fields of beans and pumpkins. On the sixth day came upon a party of Indians —wounded several and captured one, who was afterwards shot while attempting to escape. A Mexican captive was rescued from these Indians. On the eighth day out attacked a party of Indians and killed six and wounded two."

"November 27.—An Apache Indian, in attempting to escape from Captain Thompson's company, 1st cavalry New Mexico volunteers en route to Fort Whipple, was killed by the guard."

"December 15.—Captain Allen L. Anderson, 5th United States infantry, with a small party of men, attacked an Indian rancheria near the Weaver Mines, Arizona, killed three and wounded three Apache Indians."

"December 15.—Captain John Thompson, 1st cavalry New Mexico volunteers, with a party of twelve enlisted men, attacked an Apache rancheria near Weaver, Arizona, and killed eleven and wounded four."

"December 24.—Lieutenant Paul Dowlin, 1st cavalry New Mexico volunteers, reports that on his return trip from Fort Whipple, Arizona, the Navajo Indians ran off fourteen of his mules."

The foregoing, which are contained in a report signed by Ben C. Cutler, Assistant Adjutant-General, practically covers the operations of the military in Arizona during the year 1864. In concluding his report Mr. Cutler says:

"Then came the operations of the troops against the Apaches of Arizona. To those ac-

quainted with the difficulties of campaigning in that distant country—formidable against the movement and supply of troops in every way in which a country can be formidable, whether considered on account of its deserts, its rugged and sterile mountains, its frequent and often impassable defiles, and, in widely extended regions, the scarcity of water and grass—the wonder will be that the troops were ever able to overtake the Indians at all. Although the results of operations in that Territory were not so great as hoped for, yet they were creditable, and were won at an expense of toil and privation of which any description could give but a faint idea to one who had never traversed this very singular country. The marches of the troops were long, and sometimes repaid by but poor results. For example: on one expedition, under one of our most distinguished officers, the troops marched 1,200 miles, and actually killed but one Indian. Oftentimes long scouts would be made and not an Indian, or even the track of one, would be discovered; yet the movements of the troops in every direction through the country of the Arizona Apaches, and a few partial encounters with them, attended by great good fortune, gave us the *morale* over them, until now they are inclined to flee at the sight of our armed parties, and scatter in all directions, and not to stand upon the hilltops and crags and jeer at our men by insulting cries and gestures, as they did when we first began war upon them. It is hoped that in a short time, they, too, will be sufficiently subdued to surrender and go upon a reservation.

* * * * *

"Not only have the troops thus followed and punished the Indians, but they have opened new roads, repaired others which had become destroyed by floods, have built posts, guarded trains through the interior of Arizona and New Mexico, and conducted the thousands of Captive Indians from the old Navajo country to the reservation, and not only guarded them there, but have directed their labors in opening up what will be one of the most magnificent farms in the United States.

"The general commanding the department takes great pleasure in being able to congratulate the troops on such a record. The increased security of life and property throughout this widely extended department, attests the beneficial results which spring from these efforts. The prosperity of New Mexico and Arizona will be sure to follow. So it must ever be a source of gratification and pride to every officer and soldier engaged in this great labor to know that the people for whom he has toiled are getting to be more secure in their lives, and to be better off in their worldly condition.

"All this has been done quietly and without ostentation on the part of the troops. In the great events which have marked the struggle of our country to preserve intact the union of all the States, it was not expected that such labors would receive the attention of the general government; but the fact that two great States will yet date their rise, progress, and the commencement of their prosperity from this subjugation of hostile Indians, will always be most gratifying to remember by those who so nobly did the work."

CHAPTER XII.

INDIAN TROUBLES (Continued).

THE INDIAN'S SIDE OF THE QUESTION—STORIES
BY MIKE BURNS, MOHAVE-APACHE—HIS
CAPTURE BY U. S. TROOPS—INDIAN METHOD
OF CATCHING ANIMALS FOR FOOD—FIRST
WHITE MEN SEEN BY INDIANS—ILL TREAT-
MENT BY SOLDIERS AND NAVAJO INDIANS—
KILLING OF COMMISSIONER OF INDIAN AF-
FAIRS LEIHY—MASSACRE IN SKULL VALLEY—
MASSACRE OF YAVAPAIS.

So much has been written of the Indian by the white man, so many reports have been made by the military, and other authorities, of the raids and massacres by the red man, and so little is known of the Indian's side of the story, that the following stories of the Apache Indians, written by one of themselves, Mike Burns, will, without doubt, cast a new light upon the question, not only for Indian accounts of many battles with the white man, but also for descriptions of the methods of travel and customs and manner of living of the Indians. It is a pathetic narrative, elegant in its simplicity, and shows the deep feeling of an Indian brooding over the wrongs which he has received at the hands of the whites. It is an eloquent appeal for justice at the hands of those who took from him his lands, and robbed him of friends and relatives. It is given here without change of phraseology, and I think many parts of it will rank with the orations of Red Fox, Black Hawk and other Indians who have made their names a part of the history of this country.



MIKE BURNS.



Mike Burns, the author, is an Apache-Mohave Indian, born in Arizona, about the year 1864, as nearly as he can tell. When a child of about seven years of age, he was captured by Captain James Burns, of the United States Army, then in command of company G 5th U. S. Cavalry. He was raised by Captain Burns, being a member of his family until about the year 1880, when Captain Burns was ordered East on account of his health, but died at Fort Wingate, New Mexico, shortly after starting on his journey. Mike Burns was left behind in Arizona, but through the influence of General Wesley R. Merritt, was sent to Carlisle, where he received a common-school education. He now resides on the McDowell Reservation in Arizona, but attends the terms of the Federal Courts in Arizona as the official Indian interpreter. Through good fortune the writer of this history was able to secure from Mr. Burns almost all the manuscript which he has been engaged in writing for several years, and the following a valuable contribution to the History of Arizona:

"I cannot state just how old I am now, because Indians have no way of keeping records of births or deaths, and I have no parents or any near relatives to tell me when and where I was born. All of my people were killed by the soldiers in what was known as the "Bloody Salt River Cave Massacre" (Battle of the Cave), in the year 1872. Lieut. E. D. Thomas, of the United States Army, told me that when I was captured, that I appeared to him to be about seven years old. I was captured by Captain James Burns and Lieut. E. D. Thomas com-

manding Company G, 5th U. S. Cavalry. My Indian name is Ho-Mo-Thy-Ah, or 'Wet Nose,' a name given to me because at the time of my birth, or when I was a very young child, the bridge of my nose was covered with moisture. I must have been born in the summer time because I was often chosen to set fire to a mescal kiln. It is customary among the Apaches to have a man or woman, or boy or girl, born in the summer time, set fire to such things, as it is believed that if the fire is lighted by such a one, the mescal will cook to a juicy taste and be sweet. If a young man or woman, not born in the summer should set fire to a mescal cooking, it will not cook right; it will not be sweet and juicy, but, instead, will turn out white, just as it was put in, and will be green and hard to eat.

"I was not so young a child when with my people but I could remember a good deal about their life. I used to lead my old grandfather around in the caves on the Salt River Box Canyon to find woodrats' nests. My grandfather would use a figure 4 trap to catch woodrats, rabbits, squirrels, and birds. We used to set the traps in the afternoon and next morning go around and take out the animals which were in them. Sometime the coyotes would steal some of the small animals, but if coyotes were around, we would put thistle around the traps, and the coyotes would not go near the traps then. We would take the skins off the animals and roast them by the fire or boil them, and eat the little meat and drink the water they were cooked in as soup. We used to live this way and were very well satisfied with our way of living.

"The women would go to different places to gather herbs, or wild flowers which had seeds in them which were good to eat. The young men would go out hunting deer, and hardly ever came back to camp without having deer meat. Deer meat was our principal food. The white people have often wondered, and sometimes even say to-day, 'What did the Indians use to do for food?' The Indians had more things to eat in those days than they have now. They did not have to buy everything in order to prepare a meal; those things grew in the midst of them, and the deer and other game was plenty everywhere. They could go out any time and kill enough to fill their wants, but now, no Indian can kill deer.

"Ha-lo, which means 'Rabbit,' who is a man about one hundred and five years old, told me that the first white people travelled through the northern part of Arizona in the year 1847. Many Indians used to sit on the southeast side of the Bradshaw Mountains; they had their camps all through those mountains, and saw parties of the white man's travelling wagons coming across the country, wagons that had from twenty to thirty horses, which hauled them through rough canyons and over the hills. One day four young warriors decided to go into one of the white mens' camps to see if they could not trade some skins they had for something. They went to the camp in single file, and when they reached the camp all the white men got on their horses. The older people shook hands with the Indians, but the young men got on their horses and acted as if they were going to corral the young warriors. They rode close to them, holding their pistols and

guns in readiness, and commenced shooting at the young Indians, only one of whom escaped.

"Ha-lo said that when he was a young healthy man he could run so fast that he could catch a young fawn, but that he never ran so fast as he did in trying to escape from these white men. A few days after this massacre, and after the white men had left the camp, some of the Indians went to the place and found two of the young Indians' bodies mutilated so badly that they could not tell who they were, and the bones of the third Indian were found nearby, having all the appearance of his having been boiled to death.

"Ha-lo also told me the following story: 'A band of us had taken a herd of mules and horses, and we were all armed with guns and pistols and were coming from Bill Williams' Mountain when we were overtaken by the soldiers. The soldiers overtook us because the animals made us travel slow, and one of the saddles came off of one of our party's horses, and I had to stay behind to help him fix it. Just as we had it fixed and were ready to start the soldiers came over a little hill just behind us. They were in close formation and came to within fifty yards of us, and I up with my gun and shot at them, and must have hit some of them because I never missed a mark when shooting with a gun. There were only twenty-five of us from our camp on Jock-Ha-We-Ha, which is the Indian name of Bill Williams' Mountain, and means "Covered with Cedar." Two of the old men had horses and were riding them, driving the mules on ahead. I am the only one now living to tell about that fight with the soldiers. We stood them off, and the way it was done was like this: Many Indians had

come across the Colorado River, we called them the Chem-A-Wau-Wa-Worthy, and they gave us guns and pistols, and powder and bullets, so that most of us had guns or pistols, and were also armed with our bows and arrows. I commenced shooting at the soldiers with my gun and they scattered. I overtook the rest of my party, and we did not give any more attention to the horses or mules, but prepared to fight for our lives. When I reached my men we all got down in a little creek or gulch, and stood the soldiers off as they were coming over the hill. The soldiers got off their horses and fought us on foot, leaving their horses on the hills. We could not raise our heads to see much because the soldiers were shooting at us so fast. Some of our party got on the top of a high butte there was there and when the soldiers came too close they would give them a few shots and drive them back. The soldiers held us there nearly all day. Two of our men were shot nearly all to pieces, but they would not have been hurt at all if they had kept in the gulch. When we saw how things were, we all raised up together and all shot at once at the soldiers on the top of the hill, and those of our men who were on top of the butte behind us fired a volley at the soldiers right after ours, and there were no more soldiers to be seen in the field. One of our party who was on the butte called out that the soldiers were going back the way they had come. Some of the soldiers were seen driving back a few of the horses and mules we took that morning. The fight lasted until about four o'clock in the afternoon. After the soldiers had gone back we found a few horses on the other side of the hill and drove them on with us, carry-

Indian camp near Fort Mohave to try and learn what had become of the chiefs who came there to hold a council, and were told that their chiefs had been killed by the soldiers.

"After a while the very same white men who ordered these deeds committed, went out to bring these Indians from their homes on the Colorado River bottoms. The Indians learned of this, and held a meeting, and it was agreed to ambush the party of whites coming out to make a treaty and a watch was set for the party, which included Commissioner of Indian Affairs Leihy. One day a runner came in and said that Leihy and others were on the road between Date Creek and Kirkland. The Indians gathered on the roadside, hidden by the bushes. The approaching party consisted of Leihy, a driver, and an interpreter in a buggy, and one white man on a horse. The Indians in the bushes heard Leihy call out: 'Do not harm me or my party because we are out among you Yavapais for the purpose of making peace with you, and all you mountain people.' The Indians were glad to learn that they were going to meet the right party, the men they had long been looking for. The party came close on to the ambushing Indians, who were concealed on both sides of the wagon road, and all at once they attacked, shot the horses and all rushed in to get the first shot at Leihy. One big Indian proposed, and it was agreed, that no one Indian should claim that he was the man who had killed the great chief who was a white man, and who was the man who had made all the false treaties in order to bring all the Indians in to close range in order to kill them quicker and easier than fighting them at a distance.

"At least three parties of Indians had been induced to go to Fort Mohave and never returned. They were told that the white man had sent out word to all the Indians throughout the country inviting the Yavapais to come in to Fort Mohave to make peace and receive rations, clothing, and all kinds of presents.

"The Indians killed Leihy, the two white men with him, and one Indian who was from Fort Mohave and who accompanied Leihy as interpreter. There was another Indian with the party but he was found to be one of their own people. Most of the Indians wanted to kill him, too, but others did not, and finally his life was spared. He was found to be one of the parties who had gone in previously to Fort Mohave and he had been forced to guide the party of white men over the country. So this lone Indian was taken back to his people.

"The foregoing occurred near Skull Valley, near where so many of the Yavapais were slaughtered, and it was not so very long after that killing was done. Afterwards, when the white people came to that valley, they saw many bones and skulls of human beings, and so they named it Skull Valley. The bones and skulls were thick all along the valley, but where they were to have had the meeting they were thickest. At this massacre some ran for their lives because they had nothing to protect themselves with. They had been told that when they went to meet the white men they must not have any arms or weapons; that they must leave their bows and arrows in the hills in order to show that they came in to meet the newcomers in a friendly spirit, and it was promised that the white man would not hurt

them. So they left their bows and arrows behind, but some of them had knives and spears. They were led by their chief, who had a written note which was given to him by a man by the name of Weaver, who used to live up on the head-waters of the Hassayampa. He was the first white man who went among the Indians and he never was troubled by the Indians and he never troubled them. When a party of Indians wanted to travel through parts of the country where there were white people, Weaver would write out a note and give it to the Indians to take along with them, and he always advised them to be sure and hold out the paper towards the parties they were approaching so that the white people would know that the Indians had a paper to show to them; that the paper would assure the whites that the Indians were peaceable and that it was written by a white man who was a friend of the Indians.

"When the different parties of Indians saw a camp of white men, they all came together and it was agreed by the chiefs that they should go down to the camp. This was the season when the acorns and the walnuts were ripe, and many Indians came there, near to those small springs and valleys, only a few miles from or west of the present town of Prescott and Iron Springs. There were men and women in the bands of Indians, and they decided to go down to the soldiers' camp where they expected that some presents would be given to them. Some of them were suspicious, however, and would not go down, saying that they would wait this time and find out from those who did go if the white soldiers received them peaceably and gave them

presents, and if the soldiers were really out in the country to make peace with the Indians, they would all go down. Many Indians, men, women and children, were seated on the high hills, pretty close to where the Mineral Spring is now, what is called the 'Iron Spring,' but some women and children went along to the soldiers' camp, too. The chief, whose name was E-cha-waw-cha-comma, which means 'Hitting an Enemy,' talked to all the Indians gathered there, and told them that he had a written paper which he was told to have with him wherever he might go, and should he happen to meet strangers, white men, parties of soldiers, and so on, he must show this writing to them as it would tell them that he was friendly and that he and his party must not be molested by white men or soldiers as he and his party were not on the warpath, but were just out hunting or travelling over the country. A portion of the Indians, led by this chief, went down to the soldiers' camp. When they got to within a few yards of the first tent, which they supposed was occupied by the commanding officer, the chief pulled out the paper and held it towards a man who was standing near the tent, who turned and went into the tent. The officer came out of the tent, and the chief saw that he had a gun, and the officer called out some words of command to his soldiers, and they all came out of their tents carrying their guns. The officer, instead of taking the paper which the chief was holding out to him, pushed his hat back on his head so as to have a clear view, and aimed his gun at the chief. Even at that the chief did not halt or retreat but continued holding out the paper to the officer, when the officer shot him, and the shot was at

such close range that the burning powder set the chief's clothing on fire. At the same time the soldiers shot at all the Indians in sight and almost all of the Indians were shot down. A few ran right in front of the soldiers, hoping by running fast to escape the bullets. Many, however, rushed on the soldiers hoping to be able to take the guns and pistols away from the soldiers and defend themselves. The soldiers kept on firing and must have killed some of their own men by shooting at the Indians who were among them. Many of the Indians escaped alive, although many of them were wounded. One of the most surprising things about this affair was the escape of the chief. All the Indians had seen him fall with his clothing on fire, but two days afterwards he came into camp almost dead. The bullet went through his shoulder and he fell over as if dead and later escaped. Many of the Indians tried to escape by hiding under wagons, and while the other Indians were fighting with the soldiers they got out and ran away. Two of this party who escaped this way got slight flesh wounds on the legs. One soldier was sitting down shooting with his rifle, and had a long revolver hanging in a holster from his belt. One of the Indians crept up behind him and got the revolver from behind and shot the soldier through the head and then made his escape to the hills.

"This massacre of the Yavapais was entirely without provocation, as they had never taken anything from the white men, nor had they killed or molested any white man. The beginning of it was that there was a party of soldiers camped near there. Three Indians were out on a hunt

and happened to come across the soldiers' camp. Never thinking that the soldiers would do them any harm, they agreed to go with the soldiers to the main camp. When they were nearly to the main camp, other soldiers came out to meet them, but the three Indians kept on going to the camp. The soldiers shot the two last ones, but took the first one prisoner. Some time after that an Indian party saw a camp of soldiers in the valley, and some of them went into the camp and saw this Indian who had been taken prisoner, and he told them that the soldiers wanted all the Indians to come in and have a talk with them. So the Indians went back into the mountains and went to where many Indians were camped and told them what they had heard, and also told them that they had seen one of the three men who were missing, and that he was with the soldiers, and that he was the party who told them that the soldiers wanted the Indians to come in and make a treaty, and that presents would be given them. So, many were anxious to go, especially to see if they could find relatives who had disappeared.

"Of the forty or fifty who rushed upon the soldiers with their bare hands, none came out alive to tell the story. The only ones who escaped were those who ran away in the beginning or who hid under the wagons and then ran away. When they looked over the valley they could see many dead bodies for a long distance. The soldiers have never told or written an account of that massacre. Many Indians were killed who had never seen a white man before. They never knew what kind of a human being a white man was, and, therefore, could not have molested them.

"A few years afterwards the Tallaka-pai-ya, or the Yuma-Apaches, those who lived in the vicinity of Camp Date Creek, where there were about three troops of cavalry stationed, often came into the post, or, at least, their young men did, to work around the kitchens of the soldiers, or to chop wood for the soldiers' fires, for which services they used to receive food, clothing, etc., and in that way they learned the English language from the soldiers.

"About five or six miles down the creek there was a cabin kept by two men, who lived by themselves, who sold whisky to the soldiers. Some of the soldiers would be absent from the post for two or three days from time to time, and the officers threatened to kill those Indians who were working around the post, thinking that the soldiers had been killed by the Indians. The soldiers, however, finally showed up, having simply strayed away on account of being too drunk to know the way home.

"Some of the Indians had seen some other Indians in the mountains dressed somewhat differently from the Indians around Camp Date Creek. The officer in command of the post told the Indians that they should head them off and bring them in, but the Indians were too foxy, they got away in the mountains before they could be headed off. The Yuma Indians, however, surrounded a small band of the raiding Apaches, killed four and brought their clothing to the post, but even then the soldiers did not believe that they had killed any of the Apaches, and the officer in command threatened to round up those Indians who had been coming in to the post every day and put chains on them and lock them

up. The Indians who lived in the vicinity of Camp Date Creek were inclined to be peaceable with the soldiers, but they could not tell the soldiers so, as there was no good interpreter to be had in those days.

"At last those two men who had the whisky shop had a fire and their cabin was burned up and they were burned up in it. The soldiers got some of the Indians and went down there to try and find out who had done the killing and burning. They could not find any tracks of men, or anything to show that it was done by a raiding party. The Indians scouted around far in the mountains, but could not see any tracks. The commanding officer, however, had a strong suspicion that it had been done by the Yumas, and all the Indians were called together under the pretense that the soldiers wanted to make a treaty with them."

CHAPTER XIII.

INDIAN TROUBLES (Continued).

**MIKE BURNS' STORY OF "THE PINOLE TREATY"—
PIMAS AND MARICOPAS DECEIVE THE WHITES
—GIVE APACHES BAD NAME—APACHE BOW
AND ARROW MAKING — FIGHT WITH SOL-
DIERS BETWEEN FLORENCE AND McDOWELL—
INDIAN OPINION OF SOLDIERS AS FIGHTERS.**

"This great treachery to the Mohave-Apaches was told me by an Indian by the name of Kwanga-cuma-ma, meaning 'Hitting Head,' or 'Chicken Neck,' which name he bears to this day.

"There were camps of all kinds of Apaches, some having just arrived from beyond where the Roosevelt Dam now is, from what is called by the Mexicans 'Sierra Anchas.' We Mohaves call those mountains 'Ewee-tha-quaw-wai,' which means 'Wide Ranges of Rocks.' These were Tonto-Mohaves, we being related to the Tontos, and their roaming ground was from Four Peaks along the Matazal ranges, the Tonto Basin in beyond Payson to the Sierra Anchas. When the tropical fruits ripen they come over to the Superstition Mountains, and along the Salt River Valley.

"They camped on the rim of a row of ranges between the Superstitions and what is called Fish Creek. The camps were in four distinct parts, a few miles from each other, but the middle one contained the most in number, and above near to the top of a mountain was a large camp, that of the big chief, Delacha. Some parties were out hunting deer, and some were out catching rabbits or rats. They were only armed with

bows and arrows. They left their camps without fear of meeting enemies because they had never harmed anybody only once in a while some parties would go out to steal ponies which they needed for food.

"Some of the parties returned and said that they had seen some armed horsemen down the valley, and that they knew there were some Pimas and Maricopas with them because when they were in hearing distance some of the Indians had called to them saying that they were out to make a treaty with all of the people in the country and that they need not be afraid; that they were to come to the camp without arms, and they were assured they would not be molested; that the soldiers had brought all sorts of articles to give the Indians as presents, so as to assure them of their friendship. When all of the hunting parties returned, word was sent around to the other camps. Some of the Indians were in favor of going to make the treaty with the soldiers, saying that they were getting very tired of hiding out in the hills and always having to be on the watch lest their enemies jump them in their sleep, so they thought it was getting time when they could be at rest, and they did get rest, too. They said they wished to be at peace with everybody and get rest and quiet, and those men have never seen another day from that time.

"Some of the Indians went to the chief's camp and told him about the soldiers and the Pimas and Maricopas, who were also accompanied by two Yuma-Apaches. The Maricopas took the two Yuma-Apaches along in order to be able to pretend that all the other Indians had been

treated all right, and these two Indians were used to persuade the Mohaves to come in and be good people, and have plenty to eat and all the clothing they needed. The Tonto-Apaches came to one of the camps and talked at length, and said that as they had been among the Mohaves all their lives, they were willing to go and see what the soldiers and other Indians had to say to them; that even if it were a trap they were willing to take the punishment with the rest of the people. These Tonto-Apaches were two, father-in-law and son-in-law, and it is said that they both wore buckskin shirts and pants, decorated with brass buttons. Many of the men were willing to go down, but the big chief, Dela-Cha, stood over on a rocky point shouting to those who were already seated close to where the soldiers were, telling them that it was all foolishness to believe that those Pimas and Maricopas came to his country to meet them and make a treaty of friendship; that they had always been his enemies, and so had the soldiers, as they had never kept any of their promises, and he told these Indians that they would be lucky if any of them ever came out of there alive. He said: 'For me, where I am standing now, is close enough for me.'

"Just then an old man who had been away from the camp for a day or two came in, and noticed the excitement of everybody, old and young, in the camp, and asked them what the trouble was, and some one told him the news, and also told him that three of his sons had gone out with the parties to visit the soldiers. When he had learned all of the news the women asked him to rest a little and have something to eat. He said: 'I need nothing to eat now. I am go-

ing down to where my sons are and will die with them before the sun goes over the hills, and there is no use to eat.' When he was told that those who went down to have the council with the soldiers and the Pimas and Maricopas were told not to take with them any arms of any kind, he said: 'Those people are my enemies and I am going down there with my bow and arrows on me, and I am going to protect myself. Those who went down there without arms are foolish, as foolish as a child.'

"But one man came out of that massacre alive. He was living here until about three years ago, when he died, over a hundred years old. He received three bullet wounds in the massacre but recovered from them. He was the one who told me about the affair. His name was Way-ga-thy-match-jah, or 'Lean to him a woman,' but afterwards he was called Maw-wot-ta-ot-gau, 'A small round looking flour.' He was named that at the San Carlos Agency where many Indians came to receive rations of sugar, coffee, beef, beans and flour. He must have been given a very small sack of flour. He only drew rations for himself and wife, and many of the others drew for large families, so his rations were very small.

"Maw-wot-ta-ot-gau was in the first party which went to meet the soldiers and he was given two pails and shown down towards the creek, so that he understood that he was to get some water, so he went and brought in water twice. More Indians came in and then he noticed that the soldiers were going away in twos and threes, having their blankets under their arms, and then he heard from the hills that the soldiers were getting ready to surround the Indians, and

he also noticed that the Pimas and Maricopas never had unsaddled their horses, so the next time he went down to the creek for water, he left the pails there, and went across the creek and stationed himself about a hundred and fifty yards from where the rest of the crowd were seated. Two long strips of white sheeting had been put down for the Indians to sit on. Some of the soldiers opened some packages of tobacco, and some calico, and had taken some of it out to give to the Indians. The Pimas and Maricopas were closing in, pretending to be watching as the presents were given out. I was sitting on a rock on the other side of the creek, a rock about the size of the body of a man, and didn't know that there was anything hidden behind it, but there was a spear lying there. Just then an Indian left the row of Indians who were sitting on the ground and came across the creek. He started to climb over a rock to go towards the hills from where we came, but before he got over a soldier came to him and pulled him down from the rock, and the soldier reached behind him and pulled his pistol out, but before he could fire the Indian reached under his shirt and pulled out his long-bladed knife, at the same time taking hold of the soldier's shoulder, and he struck the soldier right down the throat. The soldier fell backwards and the pistol was discharged as he fell. The Pimas and Maricopas and the soldiers closed in upon the other Indians, who attempted to escape, but volleys of shot were poured into them so that hardly any of them escaped sound in body. It is strange that no notice was taken of me. I was sitting there on a little rock and the first thing I knew I was behind the rock and just had my head so that I

could see across it. I noticed that an Indian had been shot down and that a Pima or a Maricopa was hitting him on the head to finish him. Just then the Pima or Maricopa reached for another stone, and the other Indian grabbed the spear which was behind the rock I was behind, and thrust it right through the Pima or Maricopa, and started to run away to the hills. The spear was shot out of his hand, but he got away into a little rocky, bushy ravine. I ran too, and fell under a bush and covered myself with leaves, and laid there as if I were dead, and stayed there until after it became dark.

"After I woke up I walked toward where I thought the camp was, but it was a hard trip. I did not see anybody, and the camp seemed deserted, and someone had already destroyed the belongings of those whom they supposed to be dead. I finally came to our camp and found that my family had also destroyed the things which had belonged to those they thought dead, and had moved their camp farther up the mountains. I learned from other Indians that all the camps had banded together with the big chief, Dela-cha, intending to ambush the raiders down below where there was a deep gulch through which the road led. Dela-cha had some young men out watching the soldiers and the Pimas and Maricopas, with orders to let him know just when the soldiers started to move camp on their return homeward. Before midnight the soldiers moved down the creek, and the Indians were all posted down at the deep gulch, where they could hear the horses' hoofs. Dela-cha told his men to creep up close to the road behind some bushes and rocks which were within a few yards of the road. Some of the

warriors were posted at the end of the gulch to give the signal when the last of the party should have entered it, and it happened that the soldiers were the rear guard of the party. The Apaches had only bows and arrows, but they made every shot count at that time; they never knew just how many they killed, but they captured three, and must have killed and wounded a great many.

"As I have said, there were two Tonto-Apaches with the party, who were dressed in buckskin shirts and pants. Both were killed and it was found afterwards that they had been stripped of their buckskin clothing and all they had on. The old man who went down there with his bow and arrows after having been told that his three sons had gone down, stood the soldiers and Pimas and Maricopas off for a long time, by shooting with his bow and arrows, He finally turned and ran up the hill, but a bullet struck him in the back of his head when he reached the top of the hill. He seemed at that time to be out of reach of the bullets, but one reached him and killed him. He was criticized by some of the Indians afterwards for not staying near his boys and trying to protect them, then if he had been killed with the boys, it would have been expected.

"Here, before these very Apaches had ever seen a white man, or had ever had any opportunity to do him harm, they were set upon and massacred. The whites were misled by the Pimas and Maricopas who lived in the Gila and Salt River Valleys, and who were the deadly enemies of the Apaches. These Pimas and Maricopas led the white men to believe that the

Apaches were a bad and bloodthirsty people who lived in the mountains and only came down from there when they wanted to steal or kill people. The Apaches and the Pimas and Maricopas had been deadly enemies for years. The Pimas used to steal up on the Apaches in the night and mash their heads while they were asleep, men, women and children. Many were killed in this manner. The Pimas would also set fire to the camps of the Apaches after killing off the inhabitants in the middle of winter. One time the Maricopas killed a young couple who had just been married, and left the dead man and the dead woman together just as if they had been sleeping, with their arms around each other, after stripping them naked. Treatment like this will, of course, make any human being feel like getting even in some way. The Apaches, however, did not have many weapons to protect themselves; they only had bows and arrows. The arrows were made of sticks, with a little sharp stone in the end, and would not carry very far, the longest distance they would shoot being about a hundred and fifty yards, and they would do but little harm at that. Sometimes the arrows were made out of cane that grew along the river banks or around a spring of water. It took quite a lot of ingenuity to make them; they had to be of a certain length to fit the party who was going to use them, and also according to the size of the bow. The canes would first be cut and then dried, and then cut again to the proper length. Some men had long arms and some short, and it was usually the custom to measure the arrows according to the length of their arms. Then

they would be taken to an old man who had a small blue stone, about four inches long, and one and a half to two inches thick, and having on each side a little hollow space, not very deep, but the size of an arrow and the whole length of the stone, with a little ridge in between the two hollow spaces. This stone was put close to a fire to become heated, but was not overheated. It was then put on a larger stone and the old man would rub the stick along it lengthways, and whenever there was a knot to be straightened out, he would rub it crossways on the middle. He would look through often with one eye as if sighting, and would keep on with this process until the arrow would be as smooth and straight as could be. The owner of the arrows was supposed to have everything in readiness, lots of feathers, and so on. The feathers used were mostly black hawk feathers, but every man wanted eagle feathers if they could get them. It was hard to catch the eagles, however. About the only way was to find a nest and take out the young and keep them until they grew feathers, when they would pull the feathers out, and in course of time, the feathers would grow again. The same method had to be pursued with the hawks, and when a man owned some birds he would take good care of them, feed them well, etc., and the other Indians would come to him and buy feathers. They valued the eagle feathers most, however, because there is a legend among the Indians that the eagle takes people and everything he comes across to his lair up in the mountains to feed his young with, and also that the great eagle commands the weather and the winds.

It is said that if the great father eagle is seen coming down from the heights of the mountains or rocks that it will be black, misty weather on that day and he will be sure to catch a human being and take him home. Medicine men always had eagle feathers on their persons if they could get them and they would give anything for a few white eagle feathers for dressing for their medicine sticks for spiritual help.

"No one would think that a small straight stick would hurt anything or kill anybody, or that a small flat white stone would be harmful, or that small green weeds grown under the shade of certain trees could be made into poison to put on the end of an arrow to kill. This is the way the arrows would be treated. If a quiver full of arrows was examined it would be found that the sharp stones at the end of the arrow would be covered with a bluish-black substance. This was the poison and I have often heard soldiers say that after a fight was over they would find that they had been struck or scratched with an arrow, and that that part of their body would swell up and blister as if they were burnt. This would finally result in death as they had no cure for it.

"The poisons are made from all kinds of poison insects. The Indians would even catch snakes and cut off their heads and use their poison fangs. Lots of spiders were poisonous and a good many of the weeds which grew around. They would put them with a fresh deer gall, fasten it with a little stick, and bury it under the ground and build a fire over it, and do this sometimes for two or three days, when it would be so rotten that it would smell

bad, and the Indians would not dare to touch it, but would pick it up with small sticks and tie it to the limb of a tree some distance from camp. Everybody would be warned not to go near it or touch it. In the course of a few weeks it would be dry and hard, just like a blackened coal, and it was then wrapped up in a piece of rag. When they wanted to use it, it was rubbed on a stone with a little water, and the tips of the arrows would be dipped in this and laid away to dry. The arrow heads were made of a hard flint, which would be put close to a fire to make it chip easy, and then it would be worked down to the shape and size desired.

"The bow was made from a mulberry tree which is cut down at certain seasons of the year, and it must be free from knots. To make it hard and springy it has to be buried under a fire in shallow dirt which is wet. It is then taken out to a tree and bent between two limbs and then whittled into the size and shape which its owner desires it to be. It is then strung with the sinews of some animal, a deer, horse or steer, anything large enough to furnish a sinew long enough and strong enough for the string. This string has to be twisted very tight and strong, and a careful Indian would carry along with him a spare string coiled around his waist, and would also have an extra stick for a bow. These they carried to use in case of an emergency when they were out on raids or on the warpath against other Indians. They did not go on the warpath against the whites as they had no ill feelings against them at first, but the treatment they received, particularly the massacre near the foothills of the

Superstition Mountains, turned them into hostiles against the whites and others. Before that the Apaches lived in the mountains and in the valleys between them, frequently visiting other camps of Indians, crossing the Verde River to the western slopes without fear of being molested, by other Indians or white men. They only killed wild game and small game, and the women folks would gather the fruits from the trees and everything they could find to eat from the different kinds of plants, such as the century plant. They would get it and cook it at special times during the year, and it would be prepared and put away for future use where the wet weather could not harm it, for if it were wet it would melt or get stringy and weedy and have no taste.

"After that massacre, and for several years afterwards, the Indians got together and had councils of war, and decided that it was time to make war on the whites. At times some of the Indian men would drop into Fort McDowell after that place had been firmly established by the soldiers as a post. They used to go in there to pick up things which were thrown away, such as clothing which was partly worn out and which would be lying around the post, or rags, and when the soldiers saw those Indians coming, they would go out with their guns and herd them in and lock them in the guard-house. If the Indians started to run the soldiers would shoot them, and sometimes they would kill all of them, and their people who were left behind in the camp would wonder what had become of them, because sometimes none of the party escaped alive to return home to tell them. After

the government established McDowell and stationed the military there, the Indians could not go across from their own camps without danger of being attacked by the Pimas and Maricopas and being wiped out.

"A small band of Indians went to the camp of some soldiers just below where the mining camp of Superior is. This party walked right into the soldiers' camp, not expecting that anything would happen to them, but the soldiers saw that there were but a few Indians, and they grabbed hold of the men and cut their heads off and burnt the corpses. Some other Indians happened to see the occurrence from a distance, and after the soldiers had left the camp they went there to see if they could find the bodies of their relatives, but could only find small pieces of bone in the ashes. So they went to the Pinal mountains to tell the news, went up the head of the Salt River near where the Roosevelt Dam now is, and also to the Tonto Basin, and called a council of war to be held near the Superstition Mountains. There was a camp there containing a great number of warriors, practically the only remnants of the Indians from the massacres which had occurred to their people during the previous years. They held the council and made up their minds to war on anybody they might meet, Pimas, Maricopas, or white men and soldiers. There must have been about thirty-five men under Dela-cha. They started out and came to a road running from Florence to Fort McDowell. Some of the young men were out on a hill towards Florence, and two or three of them came and said that there were three wagons coming with

many soldiers following behind, and also some in front of the wagons. There were no hills or large rocks that the Indians could get behind for protection and they were armed with bows and arrows only. Some of them, though, had spears. So the chief told them not to be scared, but to be men, to fight as men for vengeance for the wrongs done to them by the soldiers and others, and that they must hold their places to a man to show their enemies that they, too, could kill; that they must win their battle with the soldiers and take something home so that their few old people and their children could rejoice over the victory. Particularly must they take home with them the clothing of the soldiers whom they might kill. So they watched the wagon train closely and counted how many soldiers there were. Soon some runners came in and said that there were three wagons, six soldiers ahead of the train, and about six or eight soldiers back of it, making in all about fifteen soldiers and three other men on the wagons. The chief said to count them again and make sure there were no soldiers in the wagons. The runners went back and told the watchmen of the chief's instructions, and were assured that there were no soldiers in the wagons, that the wagons had no covers and there was only some stuff in them, and the men driving them were riding the mules. The runners returned to the chief, and the watchmen too, as the wagons were within a mile of the party, and they told the chief to find them a hiding place quick. They saw a wide sandwash on the road, and much brush on each side of the road in which they could hide so that they would be

almost within reaching distance of the party passing along the road. The chief ordered them to hurry back to the big wash. Taking stock of their arms they found that there were only three guns in the party, and these were old fashioned flintlock guns. It was arranged that the men having these guns were to fire first. By this time they could hear the sound of the horses' hoofs, and the soldiers and the wagons were right on top of them. The soldiers were riding by twos. The Indians having the guns, fired, and the others armed with bows and arrows commenced shooting at the horses, and also at the soldiers. Four of the soldiers dropped off their horses, and the others tried to escape, but several of them were shot with arrows in the back. The soldiers who were behind the wagons commenced shooting, but the Indians who were armed with the guns had reloaded and commenced firing at them. The escaping soldiers were pursued for some distance over the desert, but, fearing that they would be met by a large body of soldiers, the Indians abandoned the pursuit and returned to the scene of the ambush, where they found four dead soldiers and two dead teamsters. One of the teamsters escaped with the rest of the soldiers. The Indians got all the mules that were hitched to the wagons, stripped the soldiers of everything they had on them, and got about twenty guns and some pistols. They threw away everything that was on the wagons; opened the sacks of flour, coffee, sugar and beans, and dumped them on the ground. The only things they took besides the clothing and guns were tobacco and empty sacks. They

found two sound horses, and most of the mules were sound, so there were nearly enough animals for all to ride, riding double. They set fire to the wagons and returned to their camp, taking the road near what is called 'Gold Field,' towards the Needle Rocks, to their camp. When they reached their camp there was great rejoicing there that the warriors had returned safely and had been victorious. Next day the two horses and nearly twenty mules were killed for meat, and all the things that the warriors had brought back with them were taken from them. It is customary upon the return of young men from the warpath, and especially if it is their first experience and they are victorious, not to keep anything they got off their dead enemies. It is not considered good policy by the Indians. The old folks wondered why they had not taken the scalps of the dead men, but the warriors said that there was no hair on their heads, so that it was not worth the trouble to cut the scalps off.

"They were told to be on the watch because the soldiers would be coming after them, and sure enough, about three days after their return, some runners came in and said that there was a lot of soldiers coming about twenty miles away. There was a tableland above the camp, and the old folks and children were taken up there so as to be out of the way if the camp was attacked by the soldiers. Most all of the Indians moved up there as there was a rough cliff projecting over the camp, and those who had guns and pistols were to stay and wait for the soldiers to get to the camp. There was a deep and rocky gulch with a creek running through it, and the

soldiers had to cross that before they could get to the camp, and the Indians were ready to fire on anybody they might see. The soldiers could not see the Indians, and while they were dismounting their horses and preparing to set fire to the camp, the Indian boys opened fire on them and the soldiers were scattered in all directions. Some fell dead, and some ran away, leaving their horses. The Indians kept firing on the soldiers, and the soldiers fired several volleys in the direction where the shots were coming from, but could not see any Indians to shoot. Further up on the bluffs, however, on the tops of the hills, could be seen groups of Indians waving red blankets at the soldiers and daring them to come up, but the soldiers only made haste to go back the way they came. The next day the Indians went back to the camp and found much blood and two dead horses. Some of the Indians said that they had seen two of the soldiers drop on the ground, and others tried to make them get up, but they had to leave them there because the Indians were shooting at them, but afterwards the dead must have been picked up and carried away.

"While some of the Indians were looking around the old camp to see what the soldiers had left, there was great rejoicing to find two guns and a pistol which the soldiers had left behind. I was only a small lad then but can remember that place and the happening. I was with the old men, the women, and the children, and we were told to go away up to another high hill, and we were up on the rim of the rocks like mountain sheep or an eagle, looking down over the rocks, and when the sounds of shots were heard, the old folks would tell us children to get back over the rocks because the bullets would go a

long way and would kill people. But all the shots we heard were shots fired at the soldiers by our own people. The old folks, however, did not know who was doing this shooting.

"Shortly after this affair some Tonto Apaches visited us, and after a few days the whole camp was separated, one party going to the Salt River country, another going towards the Pinal Mountains, and another large party moved over to the upper range of the Superstition Mountains. This was done so that if the soldiers should come back in force there would be no Indians there.

"From that time on it was shown that the soldiers were not very good fighters; they could kill Indians when they came within gun reach and had no weapons to protect themselves. If the Indians were armed to the teeth like the soldiers were, with breech loading guns, pistols and sabres, with plenty of ammunition and a pack train, the soldiers would not stand up to them. But where the Indians only had bows and arrows, and if the bows were broken or the arrows all shot, they would be without weapons, the soldiers could probably have gotten the best of them. If the Indians had all had firearms when the hostilities broke out, it would have been a different proposition, and the settlements in this country would not have been made so fast, neither would the Indians have been taken prisoners of war and placed on reservations against their wishes and without making a fair deal with them. For several years afterwards, on the upper ranges of the country, beyond the Matazal Mountains, many Indians came together and agreed to keep up the war against the whites in the western country. They planned to go on

the south side of the Bradshaw mountains, passing the Hot Springs, just above the site of the town of Wickenburg. This was done by a party who saw four men in the creek, and they agreed to kill them when they returned to their camp, and to take their belongings. One of the Mohave-Apaches, named Waw-a-quattia, found a small sized Navajo blanket which he had left behind him at the time of the massacre some years before, which he was wearing when he went to the council with the soldiers and the Pimas and Maricopas. He was one of the party who escaped, but he had to leave his blanket in order that he might run fast. The next day other parties were out scouring the country and brought in some spoils too, and said that they had killed two Mexicans. They intended to go over to Date Creek to make a raid on the Indians who were camping around that post, and those Indians had given aid to the soldiers by leading them through the country, and they were especially aiding the Pimas and Maricopas. They all claimed, however, that they had never done any killing.

"Some of the party by this time were pretty hungry and ragged, some of them being almost barefoot, and it was decided to turn north and follow the Hassayampa until they struck the road going to Prescott. On this road they met six white men, mounted on horses. They attacked them and killed four of them, and the other two escaped toward Prescott. They found that two of the dead men were dressed in the buckskin suits and moccasins worn by the two Tonto-Apaches who had been killed in the massacre some years previous, and they then found that they had come across the very parties who

had assisted in that massacre. This goes to show that all the outrages on the Indians were not done by the soldiers, but by the first white men who came into the country, some of them being the volunteers from California.

"None of the Indians had been wounded or killed in these last fights, and they decided to return to their homes. Near Pine Flat they found a few head of cattle and drove them across the Agua Fria, and killed them. Packing the meat on their backs they went to the Bloody Basin country, and crossed the Verde River, and in a couple of days they were at home again.

"This little sketch of history about what was done to the Indians by the soldiers, and the first killing of the Apaches by the Pimas and Maricopas, shows the way the Apaches were subdued. The Pimas and Maricopas were the Indians who lived in the valley of the Gila and the valley of the Salt River, and they were the first Indians in Arizona to meet the white man, and it was supposed that they were friendly to everybody, but they certainly were not to the Apaches. The Pimas and Maricopas massacred the Apaches many times, killing them in the night; then they would always run, even if there were three or four hundred of them. Apaches always called the Pimas crows, because they would dance around and dodge from one place to another until they were out of sight. But they were very brave when three or four hundred of them came across a few old men and women and children. They would attack them and beat their heads to a jelly and not let one escape alive. For my part I think the Pima and Maricopa Indians are the most cowardly of the Indians of the southwest. But credit should be given to the

Apache. He has stood his ground and preserved his home and his family for a long period of years, creeping from one mountain to another in the night, hiding from his enemies, until he could creep up on some sleeping soldiers, killing some and driving off a few head of horses. Then he was denounced as a 'Bloodthirsty Apache.' There is always a time in the history of man when the duty of protecting himself and his family is imposed upon him; a time when there has been so much wrong done to him that he would not be a man if he did not make an effort to protect himself, his family and his home from his enemies.

"I am an Apache Indian, and I take the stand now and always have, that the Apache is a brave man. They were not a very numerous people, but they preferred to be exterminated rather than submit to injustices or to be taken captives, and they would hold out until the last arrow was shot, or their bows broken, then they would have nothing left to fight with but their hands, and they would rather have them cut off than live to see their country taken away from them. The soldiers were not their only enemies; there were many Indian aliens who fought with the soldiers, such as the Pimas, the Maricopas, the Yuma-Apaches, the Mohaves on the Colorado, the Wallapais and the Navajos. In addition to these there were the Mexicans and the volunteers from California. The regular soldiers who were stationed at Fort McDowell, Camp Date Creek, Camp Wickenburg, Camp Del Rio, Fort Whipple, Camp Verde, Fort Reno, Fort Thomas, Fort Grant, and, right in the center of the White Mountain Apaches, Fort Apache; Fort Bowie, Fort Lowell near Tucson, Fort Huachucha, Fort

Yuma and Fort Mohave, also were the enemies of the Indians, and came to fight the friendless Apache. There were thousands of white men to fight the Apaches, but they had to hire many thousands of Indians to show the soldiers through the Apache country and help track the Apaches, and also to show the soldiers the paths and waterholes. If the soldiers had not had the assistance of the other Indians to fight the Apaches, they would have had a very hard time fighting them. The only way they could get the best of them was to get them to come in on the pretense that the Government wanted to make peace with them, and that they must come in and make a treaty and meet the soldiers without arms, and when the soldiers got them into the camp, they would make good Indians of them by dropping them when they were sitting around on the ground. The soldiers did not like to go out and hunt them in the woods and stand the hard times; sometimes they could not find water for themselves or their animals; sometimes they would be out in the hills and get into some rough country where they could not go any farther and would have to go back the same way they came. The soldiers did very little harm to the Indians. Once in the winter of 1872, the soldiers passed right by a camp of Indians on a thick flat of cedar; it was snowing and the wind was blowing right into the soldiers' faces. They never looked down on the ground to see if there were any tracks of the Indians, and went right on by. They always had to have Indians to guide them and to fight the Apaches in their style, and also to find them waterholes. Only for the aid of the Indians the soldiers were worth nothing.

CHAPTER XIV.

INDIAN TROUBLES (Continued).

**MIKE BURNS' STORY OF HOW THE INDIANS STOLE
THE SOLDIERS' HORSES—FIGHT WITH NEW
MEXICAN VOLUNTEERS—KILLING OF MIKE
BURNS' MOTHER—BREAKING UP OF CIBICU
APACHES—MIKE BURNS' FIRST SCOUT—
YAVAPAIS AND NAVAJOS AT WAR—COMING
OF THE WHITE MEN DISGUISED AS INDIANS—
COMMIT OUTRAGES—BREAKING UP OF CAMP
—FUNERAL CUSTOMS—WIDOWS AND WIDOW-
ERS—DELA-CHA'S FIGHT WITH PIMAS AND
MARICOPAS—ATTACK ON SOLDIERS.**

"In the year 1869 several hundred Indians came to Fort McDowell to make a treaty with the soldiers. They were mostly from the ranges of the Four Peaks and the Matazal Mountains, and also from the Tonto Basin, the country of the Tontos. The Tontos always went with the Mohave-Apaches, being always willing to risk their lives with them. I remember one incident in connection with this. My grandfather was so old that he could hardly see the way to walk, and I had to go with him to lead him. We had one big dog which would always kill little game and even catch young deer or fawn. On our way to the camp where there was a great council to be held, we had nothing to eat, and my grandfather killed my poor old dog which always caught rabbits and young deer for our sustenance. He said that it couldn't be helped, that we had to live on something. So he told me to get wood while he was digging a hole after he had skinned the dog, and after I got the wood I had to get

some stones and grass, some green grass and green brush, and he made a fire and put some stones on it. Then he waited until the fire burned down to the level of the hole, and then put my dog on the hot stones and covered him all up with the grass and brush so that no steam could escape. We then went to sleep and towards morning we woke up and uncovered the little mound where the dog was, and found it well cooked. My grandfather gave me all I wanted, and we could not tell the difference between the dog's flesh and that of any other animal. We had all we wanted to eat that morning, and plenty to take along for that day until we reached the camp, which we did towards morning. That night there was a great crowd at the camp, and they danced almost all night, and a few days afterwards they all moved off towards Fort McDowell, I was among them, but I was so young that I can hardly remember anything about it. I can remember, however, that some Indians, men and women, brought in some gramma grass on their backs and took it to the soldiers' stables, and the soldiers gave the Indians a cup of corn for each bunch of gramma grass. The hay must have been worth but very little at that time, for each bundle of green gramma hay must have weighed from seventy-five to eighty-five pounds, and the Indians only got a cup of corn for each bundle of hay. A cup full would not weigh more than a couple of pounds, it being measured with a soldiers' tin quart cup.

"Everything seemed very friendly at this place, the Indians having dances every night. The camp was across the Verde River, and some

of the soldiers used to come over and look on at the dances. The Indians, however, broke away to the hills again, and this was the way it came about: There was a Tonto woman at the post who had been captured some years previous, and married to a packer by the name of Archie Mc-Intosh. She told the Apaches that the soldiers had sent for the Pimas and Maricopas to come to the fort and kill off the Apaches in the same manner it had been done at Fort Grant on the San Pedro River some years previous. That afternoon the chiefs got together and agreed to leave the camp and go back to the hills. The old people and the children were to go first before the sun went down, leaving only the warriors and young men, who were to keep singing and beating the drums so that the soldiers would not notice that anybody had left the camp or intended to leave, and, in the evening, Bar-gin-gah, with about six young men, would creep up around the stables after dark, take what horses they could get, and light out with them to the hills. By that time nearly all the rest of the Indians would be near the hills. About midnight Bar-gin-gah, with his young men, went to the stables, creeping on their hands and knees, watching the soldier who was walking around the stable. They noticed that there was only one soldier on guard, and when he turned to go the other way, they crept up and untied the horses in the stables, and each one came out with a horse and got away unnoticed by the soldiers until they crossed the river, when the horses made so much noise that they alarmed the camp and the sentinel fired some shots at them, which, however, did no harm. The men who had been left in the camp singing

and beating the drum, had already gone to the hills. The young men drove the horses over the hills and mountains, and next morning when they were near the top of a mountain, they looked back and saw soldiers coming across the valley. Many more Indians joined them and it was decided to kill the horses, which was done, and the meat was held up to the view of the soldiers, and they were invited by signs to come and have some of it. They did not do this, however, but stayed in the foothills and fired a few shots, some of which struck the dead horses, but none of the Indians were struck. We did not mind the shooting, being more interested in getting our shares of the horse meat. So the soldiers went back to Fort McDowell, nobody was hurt, and we Indians got our fill of horse meat.

"In 1867 some New Mexican volunteers, under Lieutenant Abeyta, had a fight at a point of rocks about twenty-five miles north of Prescott with some of the Apaches. The Indians whipped the soldiers, and drove them out over the rocks. A white man, named Willard Rice, who was a guide and scout for the soldiers, and several soldiers were killed and wounded. It was never known how many were killed and wounded, but the Indians whipped the soldiers and drove away the stock into the hills towards Bill Williams' Mountain. The story of these fights, when told by the white man, all have the same beginning, which is that the Indians steal stock, as, at Skull Valley some parties of Indians stole some stock from some freighters who were on their way to Fort Whipple, and a few days afterwards a great many more Indians came to the very spot where the animals had been stolen. The soldiers who

were out scouting for the parties who took away the stock attacked the astonished Indians without any warning. The Indians were unarmed, as they were on their way to the Post to make a treaty and had a letter to show the soldiers and to the whites, but they were shot down without mercy.

"The raids of the Indians against the whites were all for the purpose of securing vengeance. No history of Arizona can truthfully state that the Apaches have committed the crimes which have been charged to them. All that they have done was to steal stock, which they did to secure vengeance for the wrong done them.

"My mother was killed by the soldiers. We had been camping at the top of the Superstition Mountains, gathering the cactus fruit, and were returning to our home. My father said that he would go ahead of us to be on the lookout in case the enemy should ambush us. The country we were travelling over had been raided many times by the soldiers and the Pima and Maricopa Indians, and we were afraid of being ambushed. We were deathly afraid of the Pimas, Maricopas and Papagoes of the Gila Valley. I remember that day as well as if it happened a few years ago, and I was then only a very small lad. We came down from a high mountain trail to a creek. Each side of the creek was covered with cactus, mesquite, and every other kind of a tree, and the cactus and mesquite trees were loaded to the full of their bearing. My mother saw the fruits and the mesquite beans so she wanted us to stop, and left us children, (I was the oldest of three, there being a baby sister and a little brother who could just walk, but not very much). My mother hur-

ried off, taking her large basket which she carried on her back. My aunt and uncle (who had five children with them) were getting ready to follow my mother's trail, she having been gone about a half hour, when all at once we heard someone give a loud yell, and in a few minutes there were some gun shots, and we heard my poor mother's death cry. My aunt and uncle told me to take the baby, and lead the little boy, and hurry over to a thick brushy canyon, and my grandmother followed me, but after going a few yards I looked back and could not see my grandmother any more, but I kept on my way, carrying the baby on my back and keeping hold of my little brother by the arm. I was walking up a thick brushy gulch, and so was not seen by the soldiers or any of our enemies who might be following me. I was walking on the side of a hill when I heard my uncle calling me, and he came to assist me with the children. They had already reached the top of the mountain and when I reached them I could hear my father fighting the soldiers. He only had a bow and arrows to fight the soldiers with, and they had guns. My father was always on the lookout for dangers when we were on our journeys, and the reason that he could not see the ambush this time was that the soldiers travelled in a deep narrow canyon, in between two ranges of rocky hills. My father was looking farther away in the direction of the roads, and could not see a soul, and was sure there was no danger. He came back over the hill, saw us in the valley, and rested for the noon. After the soldiers had killed my mother, they saw my father on the hills, so they chased after him, but he had climbed a high rocky

mountain and rolled rocks down on them, so they did not dare climb up the hills. He was shooting down on them with his bow and arrows and rolling rocks down on them and in this way he kept them from climbing the mountain. The soldiers had not seen us, for they took after my father instead of charging up the canyon. If they had not done this they would have gotten the rest of us. After the soldiers had marched away, my father joined us, and said that the soldiers must have killed my mother because he saw her running along on the side of the hill, and the soldiers were shooting at her, and then he could not see her any more. We all came down from the mountain then and camped in a cave, and early the next morning my father and uncle went back to try and find the body of my mother. They found her dead in a cave, full of bullet holes.

"My grandfather and grandmother were not able to run for their lives, but they hid under some thick grass all day, and when night came they came out of their hiding place and it just happened that they saw our tracks and they followed us until they overtook us.

"I cannot recollect much of what took place or just what places we went to after my mother was killed. This must have been in the year 1870. It was such actions as this on the part of the white people which led the Indians to seek vengeance on all the whites and their Indian allies, who they persuaded to go with them and kill off all the other Indians they could find. My father and uncle had never killed a soul in their lives before this happened, and had never even seen a white man, but this outrage sent them out to take vengeance. Before this we were always

in a country where we never had any fear of danger until the white man came. It was only a few miles from this place (Phoenix) where my mother was killed, and a great slaughter took place there a few years previous by the soldiers and the Pima and Maricopa Indians. The soldiers, several hundreds of them, with the Pimas and Maricopas, accompanied by an Indian who knew the country, and who could speak the language of the Indians of that part of the country, came there under pretense of making a treaty, and camped a few miles from where there was a camp of Indians. The soldiers sent this Indian guide out to our people, and he came close to the camp and called out to the Apaches, and told them that the soldiers and the other Indians came not to fight, but wanted to make peace with the Indians who were living out in this country, and had brought many presents to them, such as calico, blankets, tobacco, and many other things which were new to them, to assure them of their friendship. Many warriors and subchiefs agreed to go down and have a talk with the soldiers and get presents from them. Only men went, and nearly all the men in the camp went down. The big chief, Dela-cha, stood on a large rock and talked to those who went across the valley to where the soldiers and Pimas and Maricopas were, and told them that they would be lucky if any one of them came back alive. I had never talked friendly with any strange people, or no one who I never saw before, and did not care for any presents from anybody, and I stayed with Dela-cha with a few men, his relations. His camp was a little ways off from the rest of us, as the custom of the Indians was for all relations to

always camp together. The soldiers were drawn up in lines with their arms or guns when the Indians came in, and the Indians were told to sit down one by one in a row. The Pimas and Maricopas told the soldiers that they would give a piece of tobacco to one of the Apaches who would be a chief, and that that one should be shot first by the soldiers and then all the others would be shot or be killed by the Pimas and Maricopas with the clubs and knives, and that is just what happened.

"There was a woman relative of mine whose name is Chaw-A-Thay-Jah, meaning 'Wash off a calico,' who was captured by the White Mountain Apaches when she was a child, and was kept by her captor until she reached womanhood, when he married her. He was a cripple, having both legs paralyzed, and couldn't walk or stand. This woman told me that she was chosen the wife of this man so that she could carry him on her back every time they had to move camp. He could only move from place to place by using his elbows and his heels. He was a good singer, however, and for this reason he was chosen to attend a gathering at a certain place where many were camped on a small creek. At this place there were all kinds of trees, walnut, sycamore, willow and pine trees, and they were green almost the whole year round. There were two small streams of water which never dried up, and all along the valley they planted corn, watermelons, pumpkins, and everything they wanted, and they never failed to have a good crop. They were Cibicu Apaches, different from the real White Mountain Apaches.

"This band of Cibicu Apaches lived there for years; they made their living there, and they never asked any aid from the Government. At one time they were visited by some bands of Apaches from the northern part of the Tonto country, and one morning some one in the camp made some tizwin, which is made of sprouted corn, fermented, and when it is right to drink it will foam, and you can smell it off some distance the same as beer. One of the visiting party, a good looking young man, was told to go over where they were drinking tizwin, so he went over there and stopped on the outside of a tepee, or wigwam instead of going inside to where many were drinking. Nearly all of the Indians carry their guns no matter where they go, and this young man leaned up against the tepee, and started to roll a cigarette, holding his gun between his legs. When he went to light his cigarette, he dropped the gun on the ground. It exploded and the noise so frightened a child who was playing close behind him that she fell over on her back as though shot. The mother of the child rushed out of the crowd shouting that the child had been shot to pieces, and called to her husband to go and kill the man who shot her child. Everybody had been drinking of the tizwin, and nearly everybody was boozed up. The husband came and picked up the gun, which was still lying on the ground, and struck the owner of it on his breast several times. The young man made no effort to defend himself, but stood absolutely still, smoking his cigarette. When the father was through striking him, he threw the gun at the young man, who picked it up and started back to his own camp. Before reaching

that place, however, he turned back, holding his gun under his arm and walking very fast. Some one noticed him coming and gave warning, and the father of the child got his gun and came out of the crowd to meet the man coming towards him. Neither of them stopped until they were within easy shooting distance of each other, when each one shot so close together that their clothes were set on fire. One was shot through the forehead, and the other through the stomach, the bullet breaking his back. The whole camp of course was very excited, but it was decided that there should be no further trouble over the affair. The Indians did not even move their camps as was customary after an affair of this character.

"In the camp there was a medicine man who had announced that a great spirit came to him saying to call all the people together and tell them to dance day and night for forty-five days, until the two men who had been killed should come to them again, and those who had parents and relatives who had been killed could also have them returned to them if they would call their names and wish them to come back from the dead. This old crippled man sang all the dances all day and night for nearly a month.

"Some trouble maker made a report to the Indian Agent and to the Post Commander, saying that the Indians at Cibicu had called all the other Indians together to make a raid on the soldiers at Fort Apache. The agent and the soldiers believed the stories which were told them about the Indians, and sent out some detachments of soldiers to Cibicu to arrest all the Indians who were engaged in the dances, and to bring them to the fort, especially the medicine man who was supposed to be at the head of the

affair, and who was to be brought in in irons. These were the orders of the Indian Agent at Fort Apache to the officers who went with the soldiers. Runners came to the camp from Fort Apache and told the Indians and the medicine man, and one morning the Indians saw the soldiers coming over the road by column. There must have been about ninety soldiers or more, and about twenty-five Apache scouts. When the soldiers reached the camp they went right through to the great wigwam where the medicine man and the singer were seated. This great wigwam had four entrances or doors where the dancers came through, and went out, until they had come through all the four entrances. The medicine man was dressed in eagle feathers, and his body was painted with all kinds of paints, as was also the man who sang for the dancers. Most of the Indian men left the wigwam, and got their guns, and went up on the foothills, the women and children having gone up farther on the tops of the hills. No one was left in the medicine lodge but the great medicine man, and when the soldiers came there they took him over to the camp. He had warned the young men not to shoot any of the soldiers, saying that if they took him away they would only put him in the guardhouse for a few months or a year, and he would not be killed because he had not done any wrong. He was taken by the soldiers and a guard put over him, and while he was seated on a rock some of the young Indians tried to get close enough to him to speak to him, but the soldiers pulled out their guns and pistols and drove the young men back three times. The fourth time the Indians were mad, and came right

down, not minding the threats of the soldiers, and shot down all the soldiers who were there and then they ran off to the hills. The medicine man was still sitting on the rock with his wife and child, but when his wife tried to get him to go away over the hills to where the rest had gone, he told her to go alone; that there was no use for him to go anywhere after there had been so much killing on his account, as they would kill him no matter where he went, and it was just as well for him to meet his fate where he was. Just then one of the soldiers who had hidden among some saddles came out, pulled out his pistol and shot the medicine man through the head while his wife had her arm around him. The soldier, however, did not try to kill the woman and child.

"In the meantime a sister of this medicine man, who was on a fast horse, rushed in and rounded up the whole herd of the soldiers' pack mules, which were loaded with ammunition and so on, and drove them all off through the hills towards where the Indians went. The Indian men came over to the dead soldiers and took off their arms, so that they were well prepared for war. The twenty-five Apache scouts, who were the bravest Indian bucks there were, and who were well armed and trusted by the government for their honesty and reliability as guides for the soldiers in campaigning against the Apaches, instead of fighting with the soldiers, this time turned upon them, killing nearly all of them. The Indians took the horses and pack mules with the loads of ammunition and were ready for war. Some of the Indian women went over to the soldiers' camp, and finding everybody dead, they

took everything off them, and scalped the officers.

"It was not long, however, before a large number of other Apaches who had enlisted as scouts were hot on the trail of these Indians. They followed them across the Black River, passed a mining camp called McMillen, on the reservation, and followed the Indians down the San Carlos river right into the Agent's building, and took them all prisoners. The soldiers took six of the head men to Fort Grant, where they were hanged, and all the rest of the Cibicu Apaches were scattered among other bands of Apaches at or near the San Carlos agency. The head chief's name was Es-skil-chus-a, meaning 'Little Heart.' I cannot remember the names of the other chiefs. That band of Cibicu Apaches was broken up and never went to live at that place again.

"One time in the fall of the year 1873, or perhaps it was 1874, a mail driver came into Fort Whipple and reported to Captain James Burns, who was in charge of the post, that a party of Apaches, who were blamed for everything which happened throughout the country, had attacked him several miles away. Captain Burns took his company, which was company G of the 5th U. S. Cavalry, and went off down on Granite Creek on the run. I went with the command, but as I was such a little fellow and could not manage the horse, one of the soldiers led the horse I was riding. I could not reach the stirrups with my feet, and the soldier did not care very much whether I was safe or not. He ran his horse hard and the one I was on kept going just as fast. I had to hold on to the saddle with both hands, but every few hundred yards my hat

would blow off, and the soldier would have to stop and pick it up for me. He finally swore at me and called me down with all kinds of bad words. I could not understand all he said, but I did understand something he said, and this is what it was: 'If I have any trouble with the other Apaches you will be the first one I will shoot, and you would better be careful with your old hat,' so I did not dare wear my hat on my head, but held it in my mouth until we overtook the rest of the company and rode along at a slower gait until we got to the scene of the attack, where we saw where the mail carrier had left the buckboard. He said he had had two horses on the buckboard, but had cut the harness off the one he rode in and left one on the buckboard. All the letters and papers were scattered as far as you could see. Captain Burns took me and all the soldiers to hunt up the tracks of the Indians, or 'Apaches.' We scattered around for quite a distance until I happened to go in through a thick brushy place where I found a footprint. I motioned to the soldiers and they came to where I was, and they all saw it. It was very hard trailing; you could not see a horsetrack because the grass was so tall and thick, but I followed the tracks on over the foot-hills of the Granite Mountains, followed it up the mountains and saw a smoke rising over the gap. The soldiers all got together in a narrow ravine where they could go up to the camp under cover of the thick brush. When we got to the gap, every soldier was ready to fire, we could not see a soul in the camp. The fire was still burning, however, and the camp outfits were still there. We followed on the trail a little distance, and came across a horse that had been left be-

hind. It was then going on to about 5:30 or 6 o'clock, so Captain Burns ordered his men to return to where they had left their horses at the foot of the mountains. We reached the horses at about sundown, and reached the post at about midnight. This was my first scouting trip, and it did not result in much damage to either side. My own opinion is that the people who attacked the mail carrier must have been Wallapais because they made for the north, and at that time all the Apaches were prisoners of war and were held at Camps Verde and Cottonwood under the orders of General George Crook. The Apaches have been blamed for many bloody deeds done by other Indians.

"The Yavapais and the Navajos got to fighting because when the Navajos would come through the country they would always take something, such as a horse, or when they came to a camp of the Yavapais and saw that the Yavapais were inferior in numbers, they would ransack the whole camp and would go on towards Kirkland Valley and come back with a drove of sheep and sometimes a herd of goats. That is the way they got started on sheep and goat raising, and they always gave the white people the impression that they were friendly and peaceful and always had the respect of the government. They did not need any help, however, as they were able to support their children and educate them well, and did not need any aid from the government.

"I have often been told by old Indians how they used to ambush the Navajos when they were seen coming across the valley from Kirkland Valley with bands of sheep. The Yavapais got tired of seeing the Navajos take so much stock,

and they wanted some themselves, so they would go and lay for the Navajos just as they were coming through the divide, and would shoot them with bows and arrows. They killed three at one time, and the rest escaped, leaving the sheep behind. Some of the Yavapais wanted to drive the sheep back to Kirkland Valley, to where they were raised, or to the owner, but their chief thought the best plan was not to do this because the soldiers might come on them with the sheep, and kill them.

"I want to say something about an Indian by the name of Yum-a-wyl-lah, who belonged to those tribes west of the Yavapais country. This man had lived a long time with the whites in Colorado. When he came back he told a great many things the rest of the Indians could not comprehend, and some of them thought he was foolish to talk about having all the land taken away from them, because they all thought then that the Indians could fight any number of soldiers. This Indian, however, said that he had been asked a great many times about the country, what kind of a country it was, whether it was open for travel, and whether it was good for camping and settling. He told the whites that there was no way for wagons to go over, and no good camping places, no grass, and no wood to burn, but the white men said, 'We will go and see for ourselves; it is no use to tell us that there is no way for anything to go through your country, and if we cannot go there peacefully, there are many soldiers we can call on to drive the red devils away. We are going to settle your country and it is no use to resist us, and you need not ask us to pay you either. Uncle Sam has got lots of people. They are just as

easy to count as the leaves of the trees and you would soon get tired of counting them. The only thing to do is to be good and show the new comers that you want to be their friends. Just go over to their camps and hold out your hands to them, and they will know that you want to be friendly.' Yum-a-wyl-lah said: 'It breaks my heart to think of our beautiful country, the fine green grass, the timber, the valleys, all being taken away from us. If we resist or try to fight these new comers, many soldiers will come and destroy our homes, so we will have no homes. There will be no game, and we will not be able to go anywhere as we used to do with all our freedom once the soldiers get us in one place. Then we will not be able to say anything but will have to do just what we are told. After we are conquered we will have no more hunting country to roam in. All these things, my brothers, make me shed tears. There will be no more signal fires on distant mountains like those we used to see at nights.'

"I have often heard some of the old Indians relate the stories which were told to them in olden times before they were driven on the reservation, about how true this talk of Yum-a-wyl-lah's was. The strong men used to shed tears when they told me about their homes in the woods and the freedom that they had to do with as they pleased.

"The first white men who went through the country were friendly to the Indians, but they warned them not to be too friendly to the parties who might follow them, as they might not be so friendly as they were.

"One time three young husky Indians went out on a hunt and came to a camp, supposing it

to be an Indian camp, but it was a soldiers' camp, and the first thing they knew they were surrounded and led into the camp. They were led to the commander, twelve soldiers guarding them. None of the Indians could speak English, and the soldiers could not speak Indian language, but the soldiers led the Indians to a place where a large fire had been built and some of the soldiers laid out a large wagon sheet and motioned the Indians to lie down on it. When this was done the soldiers covered them up and shook their fingers at them as much as to say that they should not pull the covers off or they would shoot. The three Indians lay there without moving until one of them raised his head to see if all the soldiers were still watching them, or were going to bed. He saw they were all lying down and could hear some of them snoring. He whispered to the others that it must be getting time for them to make ready for a flying escape, and told them that when he raised the canvas they were to make a run for a creek nearby which had a very wide stream flowing through it. When they were ready the cover was rolled off so noiselessly that no one noticed it, and they moved out the only entrance there was, jumped over the soldiers and were across the creek and over the bluffs before the soldiers knew they were gone.

"It must have been morning when they made their escape because when they reached the top of the hill above the camp, the living sun appeared in a glare of gladness to them, its freshness filling them with new life, and as they gazed over the mountains and valley, which they had thought they never would see again, it said to

them that some great spirit had taken pity on them. At that time it seemed that God was more in readiness to help those who needed it than nowadays.

"A long time afterward an old man who was a member of the said party said that he noticed while he was asleep what seemed to be a white cloud come down from above with a young baby in the midst of the cloud, who said to him: 'Rise and run, and do not fear for nothing will hurt any of you.' This man's name was Won-won-gan, which means, 'His head Like a Mound.' This party was from a camp on the west side of the Jerome Mountains.

"Another time word was sent around to every village of the Yavapais to meet for a council, and they all gathered at a place called Ka-hon-ga-te-lap-a, meaning 'Scrub Piney Spot.' This place is just above the station of Dewey, a little above the wagon road from Camp Verde to Prescott. There they came by families, all gowned in feathers and painted, with the women dressed in the same style. They danced for several days, and during the day the men went hunting deer and antelope for their feasts during the dancing times. The women prepared all kinds of food and packed it for the men to carry along when they went to war. In those days there was plenty of fresh meat to be had, and plenty of plants, also plenty of all kinds of wild seeds which the Indians ground when they were ripe. At that time the Lonesome Valley was full of animals, deer and antelope. You could see droves of antelopes for miles, and sometimes they would come to the camp. After the Indians had danced and feasted for about two

quarrelling as to who first proposed going to the white men's camp, and thus causing an Indian to be killed. A lot of the Indians wanted to kill the two who had returned, believing that they were the cause of the other's death, but they finally decided to allow them to live. This was the first blow received by the Indians on the east side of the Bradshaw Mountains, and I believe it happened in the year 1864.

"Shortly afterwards about sixty or seventy Indians had a council and decided to make some raids on the white ranchmen and prospectors along the foothills of the Bradshaw Mountains, so they went to a place on the Big Bug Creek, about four or five miles above the present town of Mayer. The Indians were up on a hill, looking down into the valley, and saw a man go into a house. They did not see any more white men so some of them went down close to the house. Some of the Indians said that the white man must have seen them first, and for that reason he went into the house and could see them through the window. Some of them said no, that it was not so, and they wanted to kill that man, and that if there was anybody afraid to go down to that house, they could stay away; they were out to fight any enemy they came across and they were going down to get that white man. So about twenty-five Indians went towards the little house. Three of them got to one end of it and were looking in through some cracks in the wall, but the white man was in an upper room and raised a window and shot down at the Indians. He killed one and wounded another, and the others ran off. They held quite an argument as to whether or not they would try to kill just

that one lonely man. He was in a place where he could stand off many men all day long, and the Indians only had two or three firearms among them, and the rest being armed with bows and arrows.

"It was finally decided to return to their camp at Government Gap, and there was much dissatisfaction among the people because one man got killed and the rest did not stop to see to his body. Those who had first proposed making war and raids did not care to go any farther, and finally the relatives of the man who got killed were given presents and they got over their hard feelings, but the old camp was broken up. Some of the Indians went south, some went across the Verde River, and some went over towards Squaw Peak towards the ranges of the Ball Mountains. The parents and relatives of the Indian who was killed were the only ones left in the old camp, and they burned up everything belonging to the dead man. This is the way the Indians did when any persons were killed or died. Everything belonging to the dead was destroyed. It is a religious belief among the Apaches, and there are other tribes that do more than destroy the clothing of the dead and kill the animals owned by him, they even try to kill some one else. It may look strange, but it is true that the Indians used to burn their dead and everything that the person owned, whether he died a natural death or got killed in battle. If he owned several head of horses, every one of them must be killed and burned. Should he get killed by someone belonging to another tribe his relatives must have vengeance and will go out and make a raid on the other tribe. For many

years after a man or woman died or got killed, no one dared to mention his or her name. It is an insult to the relatives of the dead person to mention the name before them, and if it is done it often causes trouble. If a young man is married and dies and the woman is left alone, she must live with the family of the deceased until the mother or father of the dead person selects some young man to give her to. This must not be done within a year after the time of the death of the man, and the widow must be strictly good in all her life until she goes to marry some one else. If there is a boy in the family the widow has to stay close with the family until the little one is old enough to get married, and if she should become a bad woman, or marry some one else without the consent of her father-in-law or mother-in-law, then the old mother-in-law will get her and will cut off her nose, which will spoil her looks and she will be no more respected. It is the same with a widower. He has to keep in close touch with his father-in-law and his mother-in-law, and if there are any other girls in the family he is supposed to take one of them for his wife, but if he happens to get another woman outside of his deceased wife's family, there will be great trouble about it. Among the Apaches a girl is given to a man for a wife when she is quite young, maybe only about six years old, and when a man is seen carrying a child on his back when travelling or driving, that girl is supposed to be his wife, and will be some day, and it is the same way yet among certain classes of the Apaches.

"Dela-cha was a great warrior, and the Apaches under him were a brave band. He, his

son-in-law, Dar-ka-gia-ya, meaning 'His Body Big and Fat that it Shakes,' and another young fellow went off down towards the Gila River, where there were many settlements of the Maricopas. They were gone three days and returned with twelve head of ponies. They drove them all night and finally reached their mountains, the Superstitions. There was a gap there that they went over, and they came to a deep gulch and some caves. They drove the horses all night and did not rest all the way. The chief told the young men to go back to the gap and look out over the country to see if there were any enemies on their trail, for they had stolen the horses, and somebody might have followed them. So the young man, Bar-as-ka-yat-yat-a, meaning, 'Small Greasy Man,' soon returned from his watch and reported that he could see nothing and thought it would be safe to take a little sleep as they had had hard work driving the ponies and were very sleepy, so they all agreed to go and lay down and take a rest. The old chief was just warning the young men to not sleep too sound, as he said there was no telling just when their enemies would jump them. The young men went to sleep but before the chief did he heard the sound of horses' hoofs and some talking. In a few moments the enemy came in sight, yelling at him. He had tried to wake the young men but they were sleeping so sound that he had to shake them well before he could wake them. He told them to run for their lives but to keep together so that they could stand off their enemies. The chief had a pistol and his son-in-law had a gun, and they told the young men not to get far away from them because the Pimas,

who were chasing them, liked to get a man by himself so that they could fight him alone, but if three or four kept together and shot back at them, the Pimas and Maricopas would never get close enough to harm them. One of the young men, however, was half asleep when he started to run, and he soon found himself alone, and about fifty Pimas surrounded him and got him into a bunch of rocks from where he kept shooting at them for a while until he had used all his arrows, then the Pimas rushed in and killed him. The chief and his son-in-law succeeded in reaching a high point where they could look down at the Pimas, and kept shooting at them until they had killed ten or fifteen of them. The Pimas finally went away, and after they had gone the chief and his son-in-law went down and found the dead body of the other man in the rocks. There was a narrow ravine near the gap and as the Pimas had left and taken the horses back with them, the two men hastened to get to this ravine. On each side of the ravine there were steep rocks that gave much advantage for an ambush. When about fifteen or twenty of their enemies who had dismounted and were leading their horses had crept up to within a few yards of them, they made sure shots at them with their pistols, and after they had emptied their pistols they used their rifles. They saw six lying on the side of the road and the rest were busy getting on their ponies to get out of the way as fast as they could. The horses were left behind and the Pimas did not try to protect their wounded. The chief's son-in-law ran down and recaptured six of the horses. The chief kept up the shooting at the Pimas until they were about half a

mile away. There were at least seventy-five Pimas and Maricopas, and only two Mohave-Apaches drove off that many men. The chief's son-in-law drove the horses, and Dela-cha stood on top of the hill calling to the enemy, saying: 'I am here; come to me if you dare; be men!' He could hear them crying and he said that they must have been a lot of old women crying about some of their comrades being killed and wounded, and he said that when any of his men were killed he did not cry. So the two of them drove the horses across the hills to their old camp, and told the rest that they had lost one man. The brother of the young man who had been killed threatened to kill Dela-cha, but to satisfy him Dela-cha gave him three of the horses, and told him that they had killed many of their enemies, and if the dead man had heeded his orders he probably would not have been killed, and finally the brother of the dead man was quieted.

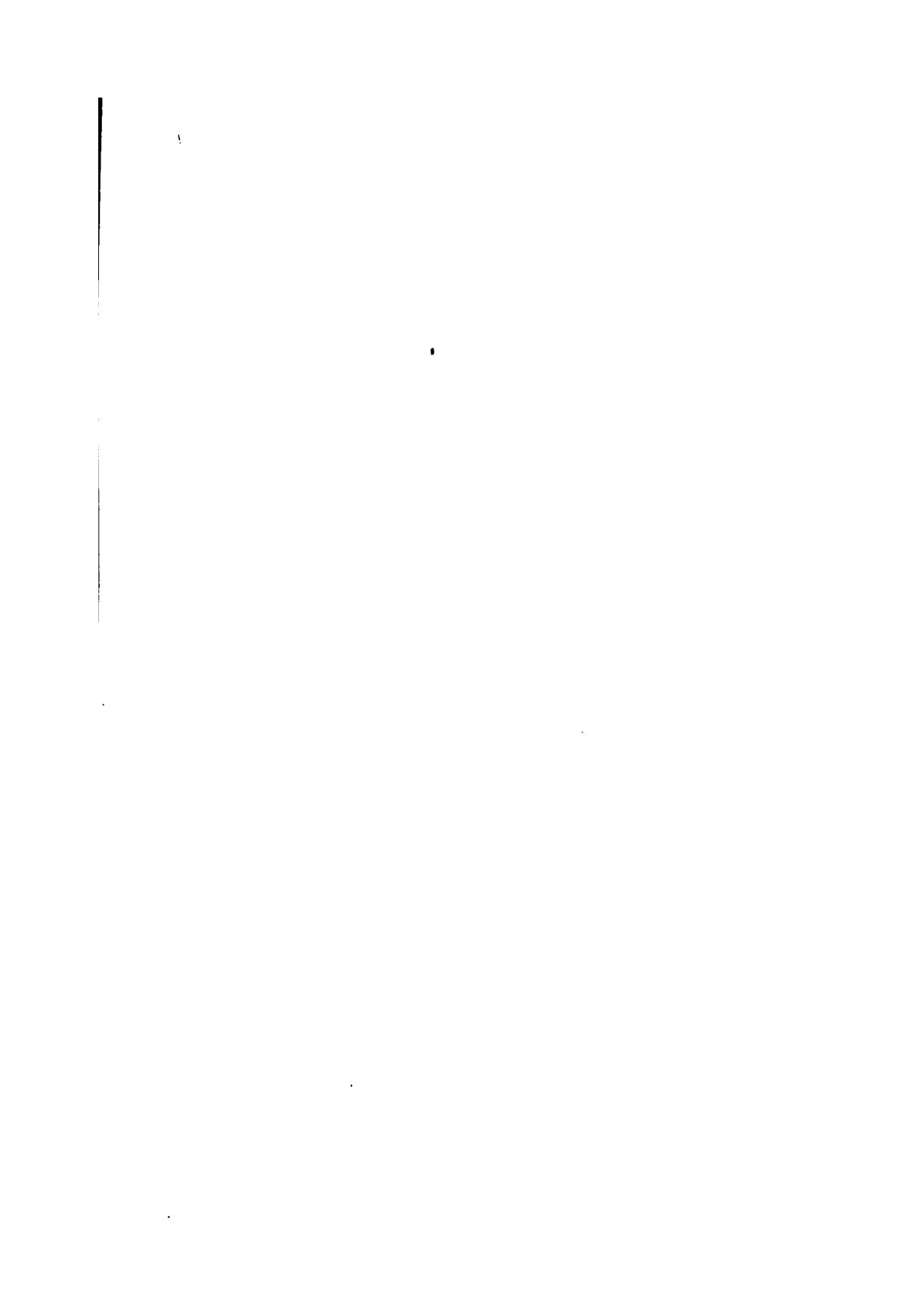
"About a year after that many of the Indians gathered together and agreed to go out and wait for soldiers on the road between Fort Reno and McDowell, so they went to the same place where Dela-cha and his comrades had had the fight with the Pimas and Maricopas, and kept watch over the road and finally saw some soldiers coming, about eight or ten of them leading their horses. A runner was sent back to the camp to get the brother of the man who had been killed the previous year, because they knew that when he saw the soldiers he would go right after them, no matter whether he got killed or not. He was lonely over the loss of his brother and did not care whether he got killed or not. It is this way

with the Indians, when one is killed they want to end their own lives, or kill someone of their own people and be killed themselves.

"In this band there were about sixty-five strong young men, good brave warriors, and three big chiefs. Some were from the Tonto Basin country, and two of the chiefs were of the Mohave-Apaches from the Superstition Mountains and Four Peaks, and Salt River. When the runners brought word that the soldiers were near the gap, the ambush was placed and it was decided who were to shoot first. Almost all of the Indians were armed with guns and pistols. About fifteen men were stationed close to the road behind the bushes. The runners had brought word that the soldiers had no guns with them and were only leading the horses. Before they reached the ambush, however, some of the soldiers mounted their horses; the word was given to fire on the soldiers, and four of them dropped dead and two were wounded. One of the soldiers ran his horse past the whole line and escaped. The Indians soon got the soldiers who were wounded, and chased the one who had escaped on his horse, but could not catch him. Some of the Indians who had chased him said when they came back, that he was wounded with an arrow in the back, and that his horse was also wounded. All the rest of the soldiers were dead except one who was in a deep gulch or hole, and only had a pistol and was shooting at the Indians with it. The Indians all said to each other to count the shots because a pistol only had six bullets and when the soldier had fired the last one they would rush in and kill him. Just at this moment, however, an Indian who had been sent

out with a party to watch the road from McDowell, was seen running down the hill towards where the soldier was. He was told that the soldier only had two or three shots, and that as soon as his pistol was empty, they intended to rush him. He would not listen to them, however, but rushed in on the soldier and attempted to kill him with a spear. He missed his man, struck the spear into the ground, and fell on the soldier's back. The soldier was knocked down, but reached under his arm and shot the Indian right through the breast. At that shot all the Indians rushed in and killed the soldier. The Indians got eight guns, seven pistols and four horses. They did not dance over the dead soldiers as they had one dead also, although some of the Indians said that they ought to dance anyhow and not mind the one Indian's death as it was his own fault that he lost his life; that he just got what he was looking for.

"A party followed the mounted soldier who had gone on the road towards McDowell and when they returned they said that they had found the horse dead, with the saddle on, but that the man must have gone to Fort McDowell on foot. Some wanted to follow him but the chief said that they had killed enough without much loss, and if they undertook to follow the soldier who had escaped, he might hurt some more of their men."



INDEX.

- ADAMS, S.—Defeated candidate for delegate to Congress, 88; mention of, 88.
- AGRICULTURE AND CLIMATE—Mentioned by Governor Goodwin in message, 114.
- ALDRICH, MARK—Member of First Legislative Assembly, 89.
- ALEXANDER, T. M.—With family, early arrival in Prescott, 211.
- ALSAP, JOHN T.—Mention of, 37; appointed first Treasurer of Territory, 189; with John Roundtree, opens first saloon in Prescott, 215; with S. C. Miller and Con Moore, attacked by Apaches, 255; accompanies King Woolsey's expedition as surgeon, 274.
- ALMYN, JUDGE JOSEPH P.—One of first three Judges of Territory, assigned to Second Judicial District, 74; resigns, 246; candidate for delegate to Congress, defeated, 246.
- ANDERSON, CAPT. ALLEN L.—In fight with Indians, 285.
- ANDERSON, JAMES.—Chief Clerk of House of Representatives of First Legislature, 94.
- APACHES—Description of by C. D. Poston in speech in Congress, 159.
- APPEL, NATHAN B.—Member of First Legislative Assembly, 90.
- APPROPRIATIONS—By First Territorial Legislature for Schools, 135, 136; First General Appropriation Bill, 140 et seq.
- ARIZONA MINER—Publication of by T. E. Hand, 31; said to have been first published at Camp Clark, 46; occupies first house completed on original town site of Prescott, 194; first issue of in Prescott, 194.
- BACKUS, JUDGE HENRY T.—Appointed to succeed Judge Wm. T. Howell, resigned, 246.
- BAKER, ELIHU—Mention of, 78.
- BANTA, A. F.—Accompanies expedition into Arizona to establish post at gold diggings, and tells story of, 31 et seq.; mention of, 93.
- BARNETT & BARTH—Start store at Prescott, 206.
- BARTH—See Barnett & Barth.
- BASHFORD, COLES—President of Council of First Legislative Assembly, 89, 90, 94; biography of, 90 et seq.; one of first two lawyers in Prescott, 213; returns East disgusted with Arizona, 245; one of first two lawyers in Tucson, 249.
- BEACH, CHARLEY—Mention of, 34, 38.
- BEAR PEN—Name of one of first houses in Prescott, 194; mention of, 213.
- BEAUCHAMP, J. W.—Estate of, first to be administered in Probate Court of Yavapai County, 247; killed by Indians, 267.
- BEHAN, JOHN H.—Mention of, 33, 34.
- BENEDICT, A. C.—Mentioned by General Carleton in correspondence, 4, 12; his object with the Walker Party, 27; exposes "Southern" plan of Walker Party, 29, 30; death of, 30.

- CLARK, LIEUT. PETER F.—Officer with escort of Gubernatorial Party, 68.
- CLINTON & BAXTER—Mention of, 79.
- COLLIER, COL. JAMES—Collector of Port of San Francisco, his opinion of Arizona, 1.
- COLLINS, JACK—Mention of, 44.
- COLORADO RIVER—Navigation of, mention by Governor Goodwin in message, 114; report of Committee of First Territorial Legislature on navigability of, 119; Congress memorialized by First Territorial Legislature for appropriation for improvement of navigation of, 143; navigation of mentioned in Governor's message, 152.
- CONGRESS—Memorialized by First Territorial Legislature to increase pay of Territorial Officials and members of Legislature, 141, 142; for appropriation for placing Indians on reservation, 142, 143; for appropriation for improvement of navigation of Colorado River, 143; failure of to act on memorials, 144, 145.
- COOK & BOWERS—Owners of one of first clothing-houses in Prescott, 213.
- COOLER, GEORGE—Mention of, 38.
- COSGROVE, JOSEPH—Early settler killed in first attack of Indians in vicinity of Prescott, 199.
- COUES, DR. ELLIOTT—Post surgeon at Fort Whipple, mention of, 37; divorced by First Territorial Legislature, 131.
- COULTER, GENERAL—Member of Walker Party, 29.
- COULTER, GEO.—Mention of, 80.
- COUNTIES—Territory divided into four counties, 93; mentioned by Governor Goodwin in message, 101.
- COURTS—First term held in Tucson, 246; First term in Prescott, 246; Probate Court of Yavapai County organized, 247; first session of Supreme Court, 247.
- CROOK, GENL. GEORGE—Mention of, 145.
- CURTIS, WILBUR—Mention of, 80.
- CUTLER, ASST. ADJT. GENL. BEN C.—Report covering operations of military in 1864, in Arizona, 285 et seq.
- DAVIS, LIEUT. COL. NELSON H.—In fight with Indians, 282.
- DELA-CHA—Apache chief, stories of by Mike Burns, 306 et seq.
- DELEGATE TO CONGRESS—Governor Goodwin issues proclamation ordering election for, 75 et seq.; Charles D. Poston elected, 87, 88; instructed by legislature to secure arms and mail routes from Government, 122, 123; Poston's activities in Congress on behalf of the Territory, 153 et seq.
- DICKSON, JOHN H.—Marries Mary J. Ehle, reported first marriage in Prescott, 211.
- DODSON, BERRY—Mention of, 34.
- DORMAN, CHAS. M.—Mention of, 80; one of three appointed to appraise lots in Prescott, 193.
- DOWLIN, LIEUT. PAUL—In fight with Indians, 285.
- DBAKE, SIR FRANCIS—Mention of, 2.
- DUNN, A. G.—Most dangerous man in Prescott; shot down by Under-sheriff Burke and Sheriff Calkins, 36, 37; recovery of, 38.

- DUNN, JOHN C.—Sergeant-at-arms of House of Representatives of First Legislature, 94.
DUNNE, PATRICK H.—Member of First Legislative Assembly, 89.
- EDUCATION (see, also, "SCHOOLS")—Report of Committee on, of First Territorial Legislature, 123, 124.
EHLE, JOSEPH—One of first to locate in Prescott, 207; biography of, 207; biography of wife, 207; death notice of Joseph Ehle, oldest Mason in world, 207, 208; funeral notice, 210.
EHLE, MARY J.—Marries John H. Dickson, reported first marriage in Prescott, 211.
EHRENBERG—First name Mineral City, establishment of, 152; ferry established at, 153.
EHRENBERG, HERMAN—Mention of, 153.
ELECTIONS—First in Territory, 87.
ELIAS, JESUS M.—Member of First Legislative Assembly, 90.
EXPEDITIONS—A. F. Banta's story of expeditions into Arizona, 26 et seq.; Fred G. Hughes' story of expeditions, 40 et seq.
- FARRINGTON, R. E.—Mention of, 33.
FERGUSON, SERGT. B. F.—In fight with Indians, 284.
FERRIES—First Territorial Legislature grants right for ferry across Colorado to Wm. D. Bradshaw and fixes charges, 135; establishment of one at Hardyville, 152; establishment of one at Ehrenburg, 153.
FINE JIM—Mention of, 34.
FISH, JOSEPH—Description of Prescott in early days, 214, 215.
FLEURY, HENRY W.—Chaplain of First Legislature, 94, 95; Appointed Private Secretary to Governor, 116; Occupant of "Gubernatorial Mansion," 202.
FORBES—Early resident of Prescott, 192.
FORT MISERY—Name of building first occupied as store by Manuel Yesera at Prescott, 196; survey of town started from, 206; occupied by Judge Howard; first court held in, 206.
FORT WHIPPLE—Establishment of, 31; removal of, 32; old site named Camp Clark, 32; arrival of Gubernatorial Party at, 65.
FOURR, WILLIAM—Relates one of Woolsey's fights with Indians, and his contempt for military, 278 et seq.
FRANKLIN, C. A.—Mention of, 34.
FRENCH, CAPTAIN A. H.—Mentioned by Genl. Carleton in correspondence, 13, 14.
FRENCH, CHIEF JUSTICE—Owner of "Gubernatorial Mansion," 202.
- GAGE, ALMON—Secretary of Council of First Legislature, 94.
GARVIN, Dr. JAMES—Member of First Legislative Assembly, 90; first Alcalde or Justice of the Peace in Prescott, 197.
GENUNG, CHARLES B.—First administrator appointed by Probate Court of Yavapai County, 247.
GILES, JAMES S.—Mention of, 33; member of First Legislative Assembly, 90.
GIMLETVILLE—First named "Goodwin," 35, 205.

- GOLDWATER, J. & BRO.—Occupy building on first lot sold in town of Prescott, 193.
- GOODHUE, GEORGE—Killed by Indians, 32, 256.
- GOODWIN—Town of, 32; afterward called "Gimletville," 205.
- GOODWIN, GOVERNOR JOHN N.—Arrival at Fort Whipple, 31; selects town site, naming it Prescott, 31, 32; locates capital, 41; with party reaches Navajo Springs and formally organizes Territory, 69; makes swing around the circle, 71; issues proclamation organizing municipality of Tucson, 71; issues proclamation organizing Judicial Districts and assigning Judges thereto, 72 et seq.; issues proclamation ordering election for Delegate to Congress and Members of Legislative Assembly and specifying Election Districts, 75 et seq.; message to First Territorial Legislature, 95 et seq.; veto of memorial to Secretary of War, 124 et seq.; farewell message to First Territorial Legislature, 127 et seq.; one of incorporators of Arizona Railway Company, 138, 139; biography of, 187; makes personal tour of Territory, 188; selects Prescott as capital, 188; incorporates town of Tucson by proclamation, 188; appoints King S. Woolsey Colonel of Militia, 189; appoints John T. Alsap Treasurer of Territory, 189; appoints King S. Woolsey aide on staff, 258.
- GOVERNOR—See "Goodwin, John N."
- GOVERNOR'S MANSION—First public building in Territory, erected at Prescott, 190; description of, 190 et seq.
- GRANT—Carries first mail to Prescott, 36.
- GREENBACKS—At discount, 35.
- GROOM, ROBERT W.—Reports rich gold discoveries to General Carleton, 4; employed as guide to expedition into Arizona to investigate discoveries of gold, 7 et seq.; story of by A. F. Banta, 28; member of First Legislative Assembly, 89; presides at meeting to select town site of Prescott, etc., 192; selected as commissioner to lay out, and appraise lots, 192; with Van C. Smith lays out and surveys town site, 207.
- GUBERNATORIAL PARTY—Leave Fort Larned, Nebraska, 47; letters of Jonathan Richmond, one of party, 47 et seq.; get newspaper containing report of gold fields by Capt. Pishon, 53; arrive at Navajo Springs and formally organize Territory, 65; arrive at Fort Whipple, 65; personnel of, 68; escort of, 68; route, 68; reach Navajo Springs, 69; speech of Secretary McCormick, 69, 70; proclamation of Governor, 70; officials take oaths of office, 70.
- HALSTEAD, JAMES A.—One of three appointed to appraise lots in Prescott, 193.
- HAND, T. E.—First editor of Arizona Miner, 31, 46; his death, 184.
- HARDY, CAPT. W. H.—Establishes ferry, toll road and store at Hardyville, 152; mention of, 253.
- HARDYVILLE—Ferry, toll road and store established at by W. H. Hardy, 152; mention of, 253.
- HARGRAVE, CAPT.—One of officers with expedition sent into Arizona to establish post at gold diggings, 31.
- HARGRAVE, JOHN P.—One of first lawyers in Prescott, 249.

- HARTS, GREGORY P.—Member of First Legislative Assembly, 90.
HAYDEN, CHARLES T.—Mention of, 79.
HENDERSON, D. & CO.—Owners of one of first stores in Prescott, 213.
HENSON—Shoots and kills Apache, 33, 35.
HIGGINS, NORMAN S.—Mention of, 79; member of First Legislative Assembly, 90.
HINTON, FRANCIS—Mention of, 80.
HISTORICAL SOCIETY—Incorporated by First Territorial Legislature, 135.
HITCHCOCK—Pioneer merchant of Prescott, 213.
HODGES, TOM—Opens first well-regulated saloon in Prescott, 196.
HOLADAY, G. M.—Mention of, 78; member of First Legislative Assembly, 90.
HOLLISTER—One of owners of "Prescott House," 38.
HOOPER, GEO. F. & CO.—Mention of, 78.
HOOPER, CAPT. WILLIAM B.—Mention of, 252.
HOPKINS, D. G. W.—Mining man, mention of, 228, 234.
HOPKINS, GILBERT W.—Member of First Legislative Assembly, 90.
HORNER, CHARLES—Early business man of Yuma, 252.
HOWARD, JUDGE—One of two first lawyers in Prescott, 213, 249.
HOWELL, B. F.—Mention of, 79.
HOWELL CODE—Adopted by First Legislature, 92; divides Territory into four counties, 93; mention of, 117.
HOWELL, JUDGE W. T.—One of first three Judges of Territory, assigned to First Judicial District, 74; appointed commissioner to draw up code for Territory and submits same, 117; receives \$2,500.00 for drafting Howell Code, 141; letters to W. A. Richmond concerning mining in Arizona, 148 et seq.; resigns as Judge, 246.
HUALAPAIS—Treaty made with by expedition sent to establish Fort Whipple, 45; through mistake escort of Gubernatorial Party attack Hualapais, 46.
HUGHES, FRED G.—Story of military expeditions to gold fields, 40.

INDIAN RESERVATIONS—Mentioned by Governor Goodwin in message, 113; provided by Congress but no appropriation made for, 144; report of A. F. Waldemar on Colorado River reservation, 168 et seq.; opposed by War Department, 184, 185; set aside by Congress, 186.
INDIANS—Kill George Goodhue, 32; Navajos attack and rob expedition sent to establish Fort Whipple, 43; Hualapais make treaty with expedition, 45; through mistake escort of Gubernatorial Party attack Hualapais, 46; fight between members of Gubernatorial Party and Tonto Apaches, 67; mentioned by Governor Goodwin in message, 111 et seq.; expeditions against hostiles, 113; Congress memorialized for appropriation to put Indians on reservation, 142, 143; Moquis mentioned by C. D. Poston in speech in Congress, 157; report on Moquis by Kit Carson, 157, 158; description of Apaches by C. D. Poston, 159; mention by C. D. Poston of Pimas and Maricopas, 160; men-

tion by C. D. Poston of Papagoes, 161, 162; Indians of the Colorado, Yumas, Mohaves, Yavapais, Hualapais and Chemehuevis, number of, 163; attack wagon train of Solomon Warner, 237; killing of first in Yavapai County, 263; murders and raids by, 254 et seq.; official report of expedition by King S. Woolsey, against, 258 et seq.; kill J. W. Beauchamp, 267; report of King S. Woolsey's second expedition against, 273 et seq.; official military reports of Indian fights, 281 et seq.; "The Indians' Side of the Question" by Mike Burns, Mohave-Apache, 288 et seq.

INDIAN SERVICE—Appropriation by 38th Congress for, 186.

JACKSON, CALIFORNIA—Mention of, 206.

JACKSON, HENRY D.—Member of First Legislative Assembly, 90; dies during session, 118.

JACKSON—Owner of restaurant at Gimletville, 35.

JACKSON—Runs boarding-house in Prescott in opposition to "Virgin Mary," 212.

JAYCOX, HENRY—Member of King Woolsey's expedition against Apaches, 261.

JENKS, LOREN—Had first hay contract for Fort Whipple, 33.

JESUITS—Return of to San Xavier del Bac, 162.

JOHNSON, "HOG"—Has horse and deer stolen by Indians, 255; killed by Mohave-Apaches, 255.

JOHNSON, H. S.—Publisher of Rio Abajo Press, 29.

JOHNSON, LIEUT.—Mention of, 29.

JOHNSON, "POKER"—Takes subcontract for hay for Fort Whipple, 33.

JONES, G. W.—Mention of, 80.

JONES, SAMUEL J.—Mentioned in correspondence by Genl. Carleton, 14.

JONES, W. CLAUDE—Speaker of House of Representatives of First Legislative Assembly, 90, 94; mention of, 92; farewell address to First Territorial Legislature, 129 et seq.; one of first two lawyers in Tucson, 249.

JOSE VICTORIANA SOLORSE—Chief of Papagoes, 162.

JUDICIAL DISTRICTS—Organized by proclamation by Governor Goodwin, 74; mentioned by Governor Goodwin in message, 101.

JUNIPER HOUSE—First hotel and restaurant in town of Prescott, 195.

LARKIN—Mention of, 80.

LAUGHLAN, JOHN—Owner of first boot and shoe shop in Prescott, 213.

LAWYERS—First lawyers in Prescott, Coles Bashford and Judge Howard, 213.

LEGAL—Howell Code adopted by First Legislature, 92, 117; legislature provides for printing laws, 136, 137; Judge Howell resigns, Henry T. Backus appointed to succeed him, 246; Judge Ally resigns, Harley H. Carter appointed to succeed him, 246; Chief Justice Turner resigns, John Titus appointed to succeed him, 246; Hezekiah Brooks, first Probate Judge in Yavapai County, 247; F. G. Christie, Clerk, and Van C. Smith, Sheriff, 247; little attention given to records of Courts, 248, 249.

LEGISLATIVE ASSEMBLY—Governor Goodwin issues proclamation ordering election for members of, 75 et seq.; members of First, 89, 90; adopts Howell Code, 92; Territory divided into four counties, 93; convening of first, 94; officials of, 94; Governor's message, 95 et seq.; Howell Code, 117; resignation of Jose M. Redondo, 117; death of Henry D. Jackson, 118; fight on location of capital, 118 et seq.; report of committee on navigability of Colorado River, 119 et seq.; joint resolution instructing Delegate Poston to secure arms from Government, also establishment of mail routes, 122, 123; report of committee on education, 123, 124; memorial to Secretary of War only measure vetoed by Governor, 124 et seq.; farewell message of Governor to First Territorial Legislature, 127 et seq.; farewell address of Speaker W. Claude Jones, 129 et seq.; divorces John G. Capron, 131; divorces Dr. Elliott Coues, 131; establishes Country Road, 132; incorporates Toll Roads, 132 et seq.; grants right for ferry across Colorado to Wm. D. Bradshaw, 135; incorporates Arizona Historical Society, 135; makes appropriations for schools, 135, 136; provides for publication of laws, 136, 137; creates seal for Territory, 137; incorporates Arizona Railway Company, 138, 139; first Appropriation Bill, 140 et seq.; memorializes Congress to increase pay of officials and members of Legislature, 141, 142; memorializes Congress for appropriation for placing Indians on Reservation, 142, 143; memorializes Congress for appropriation for improvement of navigation of Colorado River, 143; first convened at Prescott, 198; passes resolution of thanks to King S. Woolsey for services against Indians, 277.

LEIB, CHARLES—Defeated candidate for Delegate to Congress, 88; biography of, 88.

LEIHY, GEORGE W.—Member of First Legislative Assembly, 89; killing of by Indians, 296.

LEON, FRANCISCO S.—Member of First Legislative Assembly, 89.

LEWIS, M.—Member of King Woolsey's expedition against Indians, 259.

LIBRARY—Commencement of Territorial and State, 250.

LIEB, DR. AND WIFE—Accompany expedition sent into Arizona to establish post at gold diggings, 31, 211; widow afterward marries Judge Hezekiah Brooks, 211.

LINCOLN, PRESIDENT—News of assassination of, 39.

LOUNT, GEORGE—With C. Clark, establishes first sawmill in vicinity of Prescott, 216.

LOUNT PARTY—Arrival of, 210.

LOW, F. F.—Mention of, 148.

McCANNON, J.—Member of King Woolsey's expedition against Apaches, 266.

McCLAVE, MAJOR.—With King Woolsey in fight against Indians, 278 et seq.

MCCORMICK R. C.—Secretary of Territory brings small printing press to territory, 31, 46; his speech at Navajo Springs, 69, 70; designs and brings temporary seal to territory, 138; one of

- incorporators of Arizona Railway Company, 138, 139; pays highest price for lot in Prescott, 207; furnishes supplies for King Woolsey's expedition against Indians, 273.
- MCCORMICK, MRS. R. C.—Wife of Secretary of Territory, arrives in Territory; dies in childbirth, 211.
- MCCRACKIN, JACKSON—Mention of, 80; member of First Legislative Assembly, 90.
- McMAHAN—Assayer, mention of, 36.
- McWARD, H.—Deputy Collector at Tucson, 236.
- MAILS AND MAIL ROUTES—First mail from La Paz to Prescott, 36; mentioned by Governor Goodwin in message, 110.
- MALRON, ALEX.—Opens first day school in Prescott, 197.
- MARICOPAS—Mention of by C. D. Poston in speech in Congress, 160.
- MARTIN, GEORGE—Mention of, 79.
- MASON, CHARLEY—Mention of, 32.
- MENASSEE, HERMAN—Mention of, 206.
- MESSAGES—Governor's message to First Territorial Legislature, 95 et seq.; peonage, 98; judicial districts, 101; counties, 101; revenue, 102; mines and mining, 103, 106; militia, 104; schools, 104; railroads, 109; mail routes, 110; Indians, 111 et seq.; Indian reservations, 113; expeditions against hostile Indians, 113; navigation of Colorado, 114; agriculture and climate, 114; farewell message of Governor Goodwin to First Territorial Legislature, 127 et seq.
- MILITARY—General Carleton sends expedition into Arizona to investigate gold discoveries, 3; sends another to establish post at gold diggings, 31; establish Fort Whipple, 31; result of withdrawal of, 217; official reports of Indian fights, 281 et seq.; report of Asst. Adj't. Gen'l. Ben C. Cutler, 285 et seq.
- MILITIA—Mentioned by Governor Goodwin in message, 104.
- MILLER, S. C. (SAM)—Ranch of mentioned, 32; with J. T. Alsap and Con Moore attacked by Apaches, 255.
- MINERAL CITY—Afterward Ehrenberg, establishment of, 153.
- MINES AND MINING—Report of J. Ross Browne and James W. Taylor on mineral resources of Arizona and California, 2 et seq.; general opinions of, 2 et seq.; report of Capt. Pishon on gold discoveries, 53; mentioned by Governor Goodwin in message, 103, 106; attempt by Congress to take over mines of Arizona and Colorado, Sylvester Mowry's protest against, 148, 147; letters of W. T. Howell concerning, 148 et seq.; descriptions of in letters of Jonathan Richmond, 218 et seq.; his estimate of opening a mine, 238.
- MISSIONS—Mention of St. Pierre, St. Paul, St. Matthias, San Xavier del Bac and Santiago, 227.
- MOHAVE COUNTY—Established by First Legislature, 93.
- MONTEZUMA—Original building erected in Prescott, 213.
- MOORE, CON—With J. T. Alsap and S. C. Miller, attacked by Apaches, 255.
- MOORE, JAMES A.—Mention of, 80.
- MOQUIS—Mentioned by C. D. Poston in speech in Congress, 157; report on by Kit Carson, 157, 158.
- MORMONS—Establish town of Callville, 252.

- MOWRY, SYLVESTER—Protests against attempt of Congress to take over mines of Arizona and Colorado, 146, 147; mention of, 227.
- MURRAY, WILLIAM R.—Mention of, 80.
- NANNELITY—Navajo chief, mention of, 42.
- NAVAJOS—Attack and rob expedition sent to establish Fort Whipple, 43.
- NAVAJO SPRINGS—Arrival of Gubernatorial Party at and formal organization of Territory, 65, 69.
- NELSON, LIEUT.—One of officers with expedition sent into Arizona to establish post at gold diggings, 31.
- NOYES, E. S.—Mention of, 80.
- OLD FORT MISERY—First boarding-house for miners in Prescott, run by "Virgin Mary," 212.
- ORGANIC ACT—Text of, 85 et seq.
- ORGANIZATION OF TERRITORY—Mention of, 41.
- OSBORN, JOHN B.—Messenger of House of Representatives of First Legislature, 94.
- OSBORN, J. P. AND FAMILY—Early arrivals in Prescott, 211.
- OSBORN, NERI—Messenger of Council of First Legislature, 94.
- OSBORN, WILLIAM J.—Mention of, 79.
- OTT, CHARLEY—Mention of, 37.
- OWENS, J. A.—Mention of, 80.
- PAPAGOES—Mention of by C. D. Poston in speech in Congress, 161.
- PATTIE, SYLVESTER AND JAMES—Mentioned by C. D. Poston in speech in Congress, 178.
- PECK, ED—Member of King Woolsey's expedition against the Indians, 275.
- PEONAGE—Mentioned by Governor Goodwin in message, 98.
- PFEIFFER, CAPT. ALBERT H.—In fight with Indians, 284.
- PHILLIPS, CHARLES A.—Mention of, 80.
- PHILLIPS, MAJOR JAMES A.—In command of escort of Gubernatorial Party to Fort Union, 68.
- PIMA COUNTY—Established by First Legislature, 93.
- PIMAS—Mention of by C. D. Poston in speech in Congress, 160.
- PINOLE TREATY—Description of by Mike Burns, 304 et seq.
- PISHON, CAPT. NATHANIEL J.—Commands expedition sent into Arizona by Genl. Carleton to investigate discoveries of gold, 3; his instructions, 6, 7; reports to General Carleton, 26; accompanies expedition into Arizona to establish military post at gold diggings, 31; his report on gold fields, 53; report on country, 53, 54.
- POMEROY, LIEUT.—One of officers with expedition sent into Arizona to establish post at gold diggings, 31.
- POPULATION—251.
- POSTON, CHAS. D.—Elected First Delegate to Congress, 87, 88; activities on behalf of Territory, 153 et seq.; speech in Congress, 156 et seq.
- POST ROADS—Established by 38th Congress, 185.

- PRESCOTT**—Town site selected and named by Governor Goodwin, 31, 32; surveyed by Van C. Smith and R. W. Groom, 31; receives first mail from La Paz; “Parson” Williams first postmaster, 36; selected as Capital by Governor Goodwin, 188; description and early days of, 189 et seq.; naming of, 192; names of streets in, 193; sale of lots in, 193; first hotel and restaurant, 195, 196; first store, 196; first well-regulated saloon, 196; first Sunday-school, 196; first day school, 197; first Alcalde or Justice of the Peace, 197; first Legislature convened at, 196; first election, 199; first public building, 199; first marriage in, 211; first child born in, 212; first clergyman, 212; first ball, 212; first boarding-house, 212; description of by Genl. Rusling, 214; description of by Joseph Fish, 214, 215; first saloon opened by J. T. Alsap and John Roundtree, 215; first sawmill in vicinity of established by George Lount and C. Clark, 216.
- PRICES**—Of provisions, etc., 223, 228.
- PRINTING PRESS**—Brought to Territory by Secretary McCormick and used for printing “Arizona Miner,” 31, 46, 93.
- PROCLAMATIONS**—By Governor Goodwin organizing Territory, 70; organizing municipality of Tucson, 71; organizing Judicial Districts and assigning Judges thereto, 72 et seq.; ordering election for Delegate to Congress and members of Legislative Assembly, and specifying election districts, 75 et seq.
- PULTENEY, ELY**—Mention of, 34.
- RAILROADS**—Mentioned by Governor Goodwin in message, 109; Arizona Railway Company incorporated by First Territorial Legislature, 138, 139.
- RALSTIN, CLAYTON M.**—Assistant Clerk of House of Representatives of First Legislature, 94.
- READ, REV. H. W.**—Organizes first Sunday-school in Prescott, 196.
- REDONDO, JOSE M.**—Elected to First Legislative Assembly, 89; resigns account not being citizen, 117.
- REVENUE**—Mention by Governor Goodwin in message, 102.
- RICE, CAPT. DANIEL**—Officer with escort of Gubernatorial Party, 68.
- RICE, WILLARD**—Killing of by Indians, 329.
- RICHARDSON, STEVE**—Builder of home of “Arizona Miner,” 206.
- RICHMOND, JONATHAN**—Member of Gubernatorial Party; his letters describing journey of party, 47 et seq.; his letters describing conditions in the Territory, 218 et seq.; his estimate of cost of opening a mine, 238; returns East, 246.
- RIGG, COLONEL EDWIN A.**—Instructions to from Genl. Carleton in relation to expedition into Arizona to investigate gold discoveries, 10, 11; mention of in King Woolsey’s report, 265.
- ROUNDTREE, JOHN**—With John T. Alsap opens first saloon in Prescott, 215.
- ROWELL, C. W. C.**—Mention of, 80.
- RUSLING, GENL.**—Describes Prescott in early days, 214.
- RYKMAN**—Killed by Indians, 256.

INDEX.

369

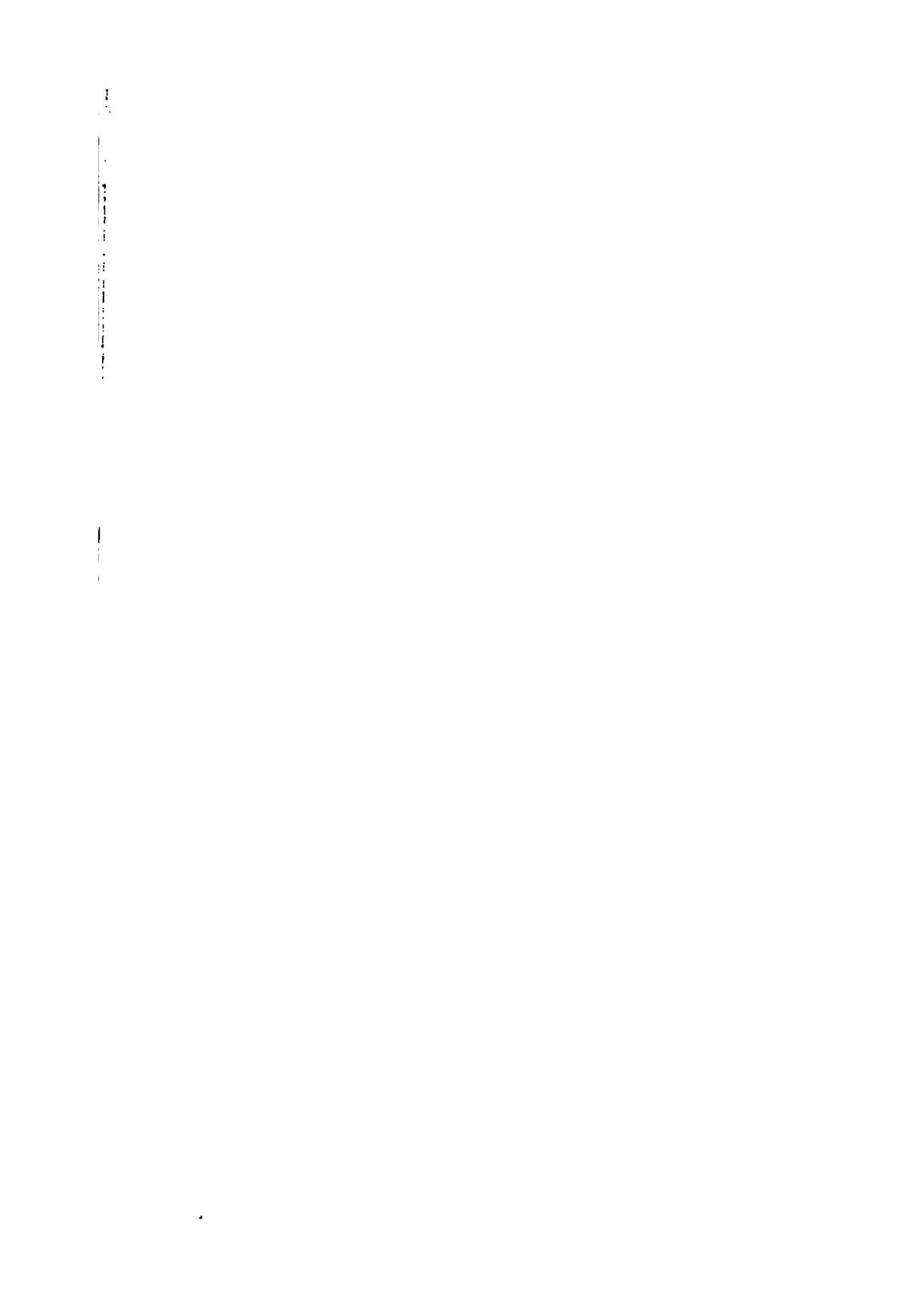
- ST. JAMES—Mention of, 219.
SANDERS, JULIUS—First family to arrive in Prescott, 211.
SAN XAVIER DEL BAC—Mention of by C. D. Poston in speech in Congress, 162; return of Jesuits to, 162.
SCOL, WILLIAM F.—One of three appointed to appraise lots in Prescott, 193.
SCHOOLS (see, also, "EDUCATION")—Existing, 93; mentioned by Governor Goodwin in message, 104; appropriations for made by First Territorial Legislature, 135, 136.
SEAL OF TERRITORY—Created by First Territorial Legislature, 137; temporary seal designed and brought to Territory by Secretary McCormick, 138.
SEELEY, DR. T. P.—Mention of, 79.
SHAW, CAPT. JULIUS C.—In fight with Indians, 283.
SHELDON, JAMES G.—Mention of, 80.
SHELDON, SMITH & FORBES—Early residents of Prescott, 192.
SHERMAN, GENL. W. T.—His opinion of Arizona, 1.
SIMMONS, JOHN—Early arrival in Prescott, 211.
SIMMONS, MOLLY—First child born in Prescott, 212.
SMILEY, DAVE and SAM—Mention of, 34.
SMITH, CARLOS—Sergeant-at-arms of Council of First Legislature, 94.
SMITH, MAJ. JOSEPH—Mentioned in report of King S. Woolsey, 270.
SMITH, JOS. H.—Mention of, 80.
SMITH, VAN C.—Selected as Commissioner to lay out, appraise and dispose of lots in Prescott, 192; with R. W. Groom lays out and surveys town site, 207; first Sheriff of Yavapai County, 247.
SMITH—Early resident of Prescott, 192.
SNIVELY, J.—Mention of, 80.
STAPLES, MAJOR—Mention of, 38, 39.
STEVENS, DANIEL—With family, early arrival in Prescott, 211.
STEVENS, LIEUT. HENRY H.—In fight with Indians, 282.
STEVENS, LEWIS A.—Early arrival in Prescott, 211.
STEVENS, V. A.—Mention of, 213.
STEWART, T. SCOTT—Mention of, 79.
STICKNEY, DANIEL H.—Member of First Legislative Assembly, 90.
SUGAR-FOOT JACK—His record and fight with Indians, 32.
SUMNER, COL.—Advises Government to turn Arizona over to Indians, 1.
SWEETNER, CLARK—Mention of, 79.
SWILLING, JACK—Mentioned by General Carleton in correspondence, 12.
TAYLOR, LIEUT. GRIFF—Sent to relieve expedition sent to establish Fort Whipple, 44.
TAYLOR, JAMES W.—With J. Ross Browne reports on mineral resources of Arizona and California, 2.
TERRITORIAL OFFICIALS—Arrive at Fort Whipple, 31.
THAYER, CAPT. JOHN S.—In fight with Indians, 284, 285.

- THOMAS, LIEUT. E. D.—Mentioned by Mike Burns, 289.
THOMAS, BRIGADIER-GENERAL LORENZO—Letter to from Genl. Carleton in relation to gold discoveries in Arizona, 11 et seq.
THOMPSON, CAPT. JOHN—In fight with Indians, 285.
THOMPSON, WM.—Came to Territory as Deputy Postmaster, 218.
TIDBALL, CAPT. T. T.—In fight with Indians, 283.
TITUS, JUDGE JOHN—Appointed to succeed Chief Justice Turner, resigned, 246.
TOLL ROADS—Several incorporated by First Territorial Legislature, 132 et seq.; charges on, 133, 134.
TONTO APACHES—Members of Gubernatorial Party fight with, 67.
TUCSON—Organization of municipality of by Governor Goodwin by proclamation, 71, 188.
TURNER, CHIEF JUSTICE WILLIAM F.—One of first three Judges of Territory, assigned to Third Judicial District, 74; resigns, 246.
TUTTLE, EDWARD D.—Mention of, 80; member of First Legislative Assembly, 90.

VETO—Only measure of first Territorial Legislature vetoed by Governor Goodwin, 124 et seq.
“VIRGIN MARY”—Owner of restaurant at Gimletville, 35; runs first boarding-house for miners in Prescott, 212; named “Old Fort Misery,” 212.

WALDEMAR, A. F.—Makes report on Colorado River Indian Reservation, 168.
WALKER, CAPT. JOSEPH—Letter to from Genl. Carleton on subject of gold discoveries in Arizona, 4 et seq.; story of by A. F. Banta, 26 et seq.; mention of, 40; mention of, 206.
WALKER, J. D.—Mention of, 80.
WALKER PARTY—Mention of, 3, 26 et seq; according to A. F. Banta, composed of Southern sympathizers, 29, 30; according to D. E. Conner, about equally divided between North and South, 39; mention of, 40.
WALTER, WILLIAM—Member of First Legislative Assembly, 90.
WAR DEPARTMENT—Opposes efforts of C. D. Poston to secure military post and Indian Reservation, 184, 185.
WARNER, SOLOMON—Has wagon train attacked, 237.
WASHBURN, CHARLEY—Mention of, 34.
WEATHERBEE, A.—Mention of, 80.
WEAVER, PAULINE—Mention of, 29; death of, 30; mentioned by Delegate Poston in speech in Congress, 179; mention of by Mike Burns, 298.
WELLS, EDMUND W.—Assistant Secretary of Council of First Legislature, 94; address on early days of Prescott, 191 et seq.
WERRINGER, W. A.—Mention of, 80.
WHITE, A. M.—Mention of, 78.
WHITE, DAN—Mention of, 34.
WHITLOCK, CAPT. JAMES H.—In fight with Indians, 281.
WILLIAMS, “PARSON”—First postmaster at Prescott, 36.

- WILLIS, MAJOR EDWARD B.—In command of expedition sent into Arizona to establish post at gold diggings, 31; in fight with Indians, 281.
- WOOLSEY, KING S.—Writes Genl. Carleton in relation to gold discoveries in Arizona, 14; mention of, 29; member of First Legislative Assembly, 89; mention of activities against Indians by C. D. Poston in speech in Congress, 159; appointed colonel of militia by Governor Goodwin, 189; official report of first expedition against Apaches, 258 et seq.; appointed Aide on Governor's staff, 258; report of second expedition against Apaches, 273 et seq.; first Territorial Legislature passes resolution thanking for services, 277, 278; his contempt for the military, 278 et seq.
- WORMSER, MICHAEL—Erects first building on plaza at Prescott, 213.
- WRIGHT, GENL.—Mention of, 146.
- WRIGHTSON, WILLIAM—Mining man, mention of, 233, 234.
- YAVAPAI COUNTY—Established by First Legislature, 93.
- YERKES, THOS. M.—Mention of, 80.
- YESERA, MANUEL—Opened first store in Prescott, 196.
- YUMA—Description of, 251, 252.
- YUMA COUNTY—Established by First Legislature, 93.





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